THE STUMP SPEAKER.

Photogravure, after the painting by G. E. Bingham.

THE costumes shown in this noted picture by Bingham belong to the times of Webster and Clay, when the oratory of the "Stump" had, no doubt, a greater influence in making history than it had had since the age of Cicero.

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THE

World's Best Orations

FROM THE

EARLIEST PERIOD TO THE PRESENT TIME

DAVID J. BREWER

EDITOR

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TEN VOLUMES

VOL. II.

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TABLE OF CONTENTS

VOL. II

	LIVED	PAGE
BENTON, THOMAS H.	1782–1858	409
The Political Career of Andrew Jackson		
Against the United States Bank		
"There is East: there is India"		
ST. BERNARD OF CLAIRVAUX	1091–1153	431
Preaching the Crusade		
Advice to Young Men		
Against Luxury in the Church		
On the Canticles		
BERRIEN, JOHN M.	1781–1856	436
Conquest and Territorial Organization		
Effect of the Mexican Conquest		
BERRYER, PIERRE ANTOINE	1790–1868	442
Censorship of the Press		
BINGHAM, JOHN A.	1815–	445
Against the Assassins of President Lincoln		
BISMARCK	1815–1898	455
A Plea for Imperial Armament		
BLACK, JEREMIAH S.	1810–1883	470
Corporations under Eminent Domain		
BLAINE, JAMES G.	1830–1893	481
Oration on Garfield		
BLAIR, AUSTIN	1818–1894	504
Military Government		

	LIVED	PAGE
BLAIR, FRANCIS PRESTON	1821–1875	507
The Character and Work of Benton		
The Deathbed of Benton		
On the Fifteenth Amendment		
BLAND, RICHARD P.	1835–1899	530
The Parting of the Ways		
BOLINGBROKE, LORD	1678–1751	541
Misfortune and Exile		
Patriotism		
BONAVENTURA, SAINT	1221–1274	552
The Life of Service		
BOSSUET, JACQUES BÉNIGNE	1627–1704	555
Funeral Oration over the Prince of Condé		
BOUDINOT, ELIAS	1740–1821	580
The Mission of America		
BOURDALOUE, LOUIS	1632–1704	589
The Passion of Christ		
BOUTWELL, GEORGE S.	1818–	603
President Johnson's "High Crimes and Misdemeanors"		
BRECKENRIDGE, JOHN C.	1821–1875	615
The Dred Scott Decision		
BRIGHT, JOHN	1811–1889	618
Will the United States Subjugate Canada?		
Morality and Military Greatness		
BROOKS, PHILLIPS	1835–1893	644
Lincoln as a Typical American		
Power over the Lives of Others		
BROOKS, PRESTON S.	1819–1857	654
The Assault on Sumner		
BROUGHAM, LORD	1778–1868	658
Against Pitt and War with America		
Closing Argument for Queen Caroline		

	LIVED	PAGE
BROWN, B. GRATZ	1826–1885	674
A Prophecy		
BROWN, HENRY ARMITT	1844–1878	683
One Century's Achievement		
The Dangers of the Present		
The Plea of the Future		
BROWNLOW, WILLIAM GANNAWAY	1805–1877	688
The Value of the American Union		
Grape Shot and Hemp		
BRYAN, WILLIAM J.	1860–	693
The "Cross of Gold"		
BRYANT, WILLIAM CULLEN	1794–1878	702
The Greatness of Burns		
BUCHANAN, JAMES	1791–1868	706
Inaugural Address		
BUNYAN, JOHN	1628–1688	715
The Heavenly Footman		
BURGES, TRISTAM	1770–1853	728
The Supreme Court		
BURKE, EDMUND	1729–1797	734
Opening the Charge of Bribery against Hastings		
Against Coercing America		
Principle in Politics		
Marie Antoinette		
BURLINGAME, ANSON	1820–1870	819
Massachusetts and the Sumner Assault		

FULL-PAGE ILLUSTRATIONS

VOLUME II

	PAGE
The Stump Speaker (Photogravure)	Frontispiece
Jacques Bénigne Bossuet (Portrait, Photogravure)	555
Lord Brougham (Portrait, Photogravure)	658
Edmund Burke (Portrait)	734

THOMAS H. BENTON

(1782–1858)

On January 19th, 1830, when Mr. Foot's innocent resolution to inquire into the sales of public lands was before the United States Senate, Thomas H. Benton turned several of his stately periods by an attack on Massachusetts, which precipitated one of the greatest parliamentary debates of modern times — that in which Hayne and Webster were pitted against each other on the right of a State to declare null a Federal statute.

Benton himself believed in what he called "the Virginia idea" of Nullification — which, as he defined it, was that an unconstitutional act is "null and void, as being against the Constitution, but is to be obeyed while it remains unrepealed and that its repeal is to be effected constitutionally."

Though he never succeeded in making this definition part of the creed of any political party, Benton held it himself to the end of his life, and after agreeing with Jackson that Calhoun was guilty of treason, he opposed Fremont, his own son-in-law, for the presidency, and so maintained his consistency to the last.

With Webster, Clay, and Calhoun, he stands as one of the most remarkable group of statesmen and orators of modern times. It happened more than once that he was opposed on questions of vital public policy to all three of the others of the great quartet and that he won against them as he did on what was once the burning question of the removal of the Indians beyond the Mississippi.

Differing from each other in so many other respects, Webster, Clay, and Calhoun occupied common ground in their dissent from Benton's theory that the "better element" of the community is apt to give the worst results when it is trusted to govern the rest. This theory was involved in Jefferson's teachings, but it did not come into actual and rude collision with the stately patriotism of the gentlemen of the colonial and revolutionary period until such of them as survived in 1828 saw Jackson with Benton at his back ready to force issues in its behalf as they had never been forced before in any English-speaking country. The shock produced was so profound that, becoming cumulative from year to year, it resulted finally in the great panic and prostration of business under Van Buren. In his war against the United States Bank, in his detestation of Calhoun and Nullification, in his long fight for vindication under the "Expunging

resolution,» Jackson had Benton for his real prime minister and parliamentary leader. Among the American statesmen of the nineteenth century, only Jefferson, Jackson, Webster, Clay, Calhoun, and Lincoln can be conceded to have influenced the history of their country more deeply than did the great Missourian. What his intellect lacked in flexibility it gained in force. The country can never produce his like again. Men may be greater in other ways hereafter, but no one else will ever be great in Benton's way. Such desperate brawls as that in which he and his brother Jesse worsted Jackson's superior forces in Nashville were common enough in 1813, but it is characteristic of Benton, and only of Benton, that the incident was merely an incident with him. He had somehow got into a world which required, or seemed to require, of him to hold his own life and that of others cheap where the alternative was retreat or surrender. But that, after the Nashville fight, he should have been Jackson's lifelong and strongest friend,—that is so much a part of the individuality peculiar to two men, each of whom was in his own way unique, that it is useless to try to explain it.

Benton was born in Hillsborough, North Carolina, March 14th, 1782. The removal of his family to Tennessee interrupted his studies at the University of North Carolina, but in one way and another he managed to continue them though life; and, as his speeches show, he had at his command such a stock of information on public affairs as few other statesmen of his time possessed. After his quarrel with Jackson who had been his friend and patron in Tennessee, he removed to St. Louis where for a time he edited the Missouri Enquirer. According to one version of the Lucas duel, he was involved in that tragedy by an article which appeared in the Enquirer while it was under his charge. He was elected Senator from Missouri in 1820 and held the place for thirty years. After his defeat for the Senate he was elected to the House of Representatives in 1852. In 1856 he ran for governor of the State to vindicate the democracy of Andrew Jackson's time against the school of Calhoun, but he was defeated. In the presidential campaign of 1856 he supported Buchanan and opposed Fremont, who as the nominee of the Republican party stood for constitutional views to which Benton was not less opposed than to those of Calhoun. He died April 10th, 1858, at Washington.

It is a noteworthy fact that Benton's influence survives the struggle over slavery and the Civil War to a much greater extent than does that of any other statesman of his time, Clay only excepted. As «Old Bullion,» and the stalwart advocate of a currency of the precious metals issued only by the government, he is identified with a permanent question of public policy much as Clay by his advocacy of the «American System» is with that of indirect taxation.

THE POLITICAL CAREER OF ANDREW JACKSON

(United States Senate, January 12th, 1837)

The Expunging resolution and preamble having been read, Mr. Benton said: Mr. President, it is now near three years since the resolve was adopted by the Senate, which it is my present motion to expunge from the journal. At the moment that this resolve was adopted, I gave notice of my intention to move to expunge it, and then expressed my confident belief that the motion would eventually prevail. That expression of confidence was not an ebullition of vanity, nor a presumptuous calculation, intended to accelerate the event it affected to foretell. It was not a vain boast, nor an idle assumption, but was the result of a deep conviction of the injustice done President Jackson, and a thorough reliance upon the justice of the American people. I felt that the President had been wronged, and my heart told me that this wrong would be redressed. The event proves that I was not mistaken. The question of expunging this resolution has been carried to the people, and their decision has been had upon it. They decide in favor of the expurgation; and their decision has been both made and manifested, and communicated to us in a great variety of ways. A great number of States have expressly instructed their Senators to vote for this expurgation. A very great majority of the States have elected Senators and Representatives to Congress, upon the express ground of favoring this expurgation. The Bank of the United States, which took the initiative in the accusation against the President, and furnished the material and worked the machinery which was used against him, and which was then so powerful on this floor, has become more and more odious to the public mind, and musters now but a slender phalanx of friends in the two houses of Congress. The late presidential election furnishes additional evidence of public sentiment. The candidate who was the friend of President Jackson, the supporter of his administration, and the avowed advocate for the expurgation, has received a large majority of the suffrages of the whole Union, and that after an express declaration of his sentiments on this precise point. The evidence of the public will, exhibited in all these forms, is too manifest to be mistaken, too explicit to require illustration, and too imperative to be disregarded. Omitting

details and specific enumeration of proofs, I refer to our own files for the instructions to expunge — to the complexion of the two houses for the temper of the people — to the denationalized condition of the Bank of the United States for the fate of the imperious accuser — and to the issue of the presidential election for the answer of the Union. All these are pregnant proofs of the public will; and the last pre-eminently so, because both the question of the expurgation and the form of the process were directly put in issue upon it. A representative of the people from the State of Kentucky formally interrogated a prominent candidate for the presidency on these points, and required from him a public answer, for the information of the public mind. The answer was given, and published, and read by all the voters before the election; and I deem it right to refer to that answer in this place, not only as evidence of the points put in issue, but also for the purpose of doing more ample justice to President Jackson, by incorporating into the legislative history of this case the high and honorable testimony in his favor of the eminent citizen who has just been exalted to the lofty honors of the American presidency: —

«Your last question seeks to know 'my' opinion as to the constitutional power of the Senate or House of Representatives to expunge or obliterate from the journals the proceedings of a previous session.

«You will, I am sure, be satisfied, upon further consideration, that there are but few questions of a political character less connected with the duties of the office of President of the United States, or that might not with equal propriety be put by an elector to a candidate for that station, than this. With the journals of neither house of Congress can he properly have anything to do. But as your question has doubtless been induced by the pendency of Colonel Benton's resolutions to expunge from the journals of the Senate certain other resolutions touching the official conduct of President Jackson, I prefer to say that I regard the passage of Colonel Benton's preamble and resolutions to be an act of justice to a faithful and greatly injured public servant, not only constitutional in itself but imperiously demanded by a proper respect for the well-known will of the people.»

I do not propose, sir, to draw violent, unwarranted, or strained inferences. I do not assume to say that the question of this expurgation was a leading or controlling point in the issue of this election. I do not assume to say or insinuate that every individual and every voter delivered his suffrage with reference to

this question. Doubtless there were many exceptions. Still, the triumphant election of the candidate who had expressed himself in the terms just quoted, and who was, besides, the personal and political friend of President Jackson, and the avowed approver of his administration, must be admitted to a place among the proofs in this case, and ranked among the high concurring evidences of the public sentiment in favor of the motion which I make.

Assuming, then, that we have ascertained the will of the people on this great question, the inquiry presents itself, how far the expression of that will ought to be conclusive of our action here. I hold that it ought to be binding and obligatory upon us; and that, not only upon the principles of representative government, which require obedience to the known will of the people, but also in conformity to the principles upon which the proceeding against President Jackson was conducted, when the sentence against him was adopted. Then, everything was done with special reference to the will of the people. Their impulsion was assumed to be the sole motive to action, and to them the ultimate verdict was expressly referred. The whole machinery of alarm and pressure, every engine of political and moneyed power was put in motion, and worked for many months, to excite the people against the President, and to stir up meetings, memorials, petitions, traveling committees, and distress deputations against him; and each symptom of popular discontent was hailed as an evidence of public will, and quoted here as proof that the people demanded the condemnation of the President. Not only legislative assemblies and memorials from large assemblies were then produced here as evidence of public opinion, but the petitions of boys under age, the remonstrances of a few signers, and the results of the most inconsiderable elections, were ostentatiously paraded and magnified as the evidence of the sovereign will of our constituents. Thus, sir, the public voice was everything, while that voice partially obtained through political and pecuniary machinations was adverse to the President. Then the popular will was the shrine at which all worshiped. Now, when that will is regularly, soberly, repeatedly, and almost universally expressed through the ballot boxes, at the various elections, and turns out to be in favor of the President, certainly no one can disregard it, nor otherwise look at it than as the solemn verdict of the competent and ultimate tribunal, upon an issue

fairly made up, fully argued, and duly submitted for decision. As such verdict I receive it. As the deliberate verdict of the sovereign people I bow to it. I am content. I do not mean to reopen the case, nor to recommence the argument. I leave that work to others, if any others choose to perform it. For myself, I am content; and, dispensing with further argument, I shall call for judgment, and ask to have execution done upon that unhappy journal, which the verdict of millions of freemen finds guilty of bearing on its face an untrue, illegal, and unconstitutional sentence of condemnation against the approved President of the republic.

But, while declining to reopen the argument of this question, and refusing to tread over again the ground already traversed, there is another and a different task to perform; one which the approaching termination of President Jackson's administration makes peculiarly proper at this time, and which it is my privilege, and perhaps my duty, to execute, as being the suitable conclusion to the arduous contest in which we have been so long engaged. I allude to the general tenor of his administration, and to its effect, for good or for evil, upon the condition of his country. This is the proper time for such a view to be taken. The political existence of this great man now draws to a close. In little more than forty days he ceases to be a public character. In a few brief weeks he ceases to be an object of political hope to any, and should cease to be an object of political hate or envy to all. Whatever of motive the servile and time-serving might have found in his exalted station for raising the altar of adulation, and burning the incense of praise before him, that motive can no longer exist. The dispenser of the patronage of an empire — the chief of this great confederacy of States — is soon to be a private individual, stripped of all power to reward or to punish. His own thoughts, as he has shown us in the concluding paragraph of that message, which is to be the last of its kind that we shall ever receive from him, are directed to that beloved retirement from which he was drawn by the voice of millions of freemen, and to which he now looks for that interval of repose which age and infirmities require. Under these circumstances he ceases to be a subject for the ebullition of the passions, and passes into a character for the contemplation of history. Historically, then, shall I view him; and, limiting this view to his civil administration, I demand where is there a chief

magistrate of whom so much evil has been predicted, and from whom so much good has come? Never has any man entered upon the chief magistracy of a country under such appalling predictions of ruin and woe! Never has any one been so pursued with direful prognostications! Never has any one been so beset and impeded by a powerful combination of political and moneyed confederates! Never has any one in any country, where the administration of justice has risen above the knife or the bowstring, been so lawlessly and shamelessly tried and condemned by rivals and enemies, without hearing, without defense, without the forms of law or justice! History has been ransacked to find examples of tyrants sufficiently odious to illustrate him by comparison. Language has been tortured to find epithets sufficiently strong to paint him in description. Imagination has been exhausted in her efforts to deck him with revolting and inhuman attributes. Tyrant, despot, usurper; destroyer of the liberties of his country; rash, ignorant, imbecile; endangering the public peace with all foreign nations; destroying domestic prosperity at home; ruining all industry, all commerce, all manufactories; annihilating confidence between man and man; delivering up the streets of populous cities to grass and weeds, and the wharves of commercial towns to the incumbrance of decaying vessels; depriving labor of all reward; depriving industry of all employment; destroying the currency; plunging an innocent and happy people from the summit of felicity to the depths of misery, want, and despair. Such is the faint outline, followed up by actual condemnation, of the appalling denunciations daily uttered against this one man, from the moment he became an object of political competition, down to the concluding moment of his political existence.

The sacred voice of inspiration has told us that there is a time for all things. There certainly has been a time for every evil that human nature admits of to be vaticinated of President Jackson's administration; equally certain the time has now come for all rational and well-disposed people to compare the predictions with the facts, and to ask themselves if these calamitous prognostications have been verified by events. Have we peace, or war, with foreign nations? Certainly, we have peace! peace with all the world! peace with all its benign and felicitous and beneficent influences! Are we respected or despised abroad? Certainly the American name never was more honored throughout the four quarters of the globe than in this very moment. Do

we hear of indignity or outrage in any quarter, of merchants robbed in foreign ports, of vessels searched on the high seas, of American citizens impressed into foreign service, of the national flag insulted anywhere? On the contrary, we see former wrongs repaired; no new ones inflicted. France pays twenty-five millions of francs for spoliations committed thirty years ago; Naples pays two millions one hundred thousand ducats for wrongs of the same date; Denmark pays six hundred and fifty thousand rix-dollars for wrongs done a quarter of a century ago; Spain engages to pay twelve millions of reals velon for injuries of fifteen years' date; and Portugal, the last in the list of former aggressors, admits her liability, and only waits the adjustment of details to close her account by adequate indemnity. So far from war, insult, contempt, and spoliation from abroad, this denounced administration has been the season of peace and good will, and the auspicious era of universal reparation. So far from suffering injury at the hands of foreign powers, our merchants have received indemnities for all former injuries. It has been the day of accounting, of settlement, and of retribution. The long list of arrearages, extending through four successive previous administrations, has been closed and settled up. The wrongs done to commerce for thirty years back, and under so many different Presidents, and indemnities withheld from all, have been repaired and paid over under the beneficent and glorious administration of President Jackson. But one single instance of outrage has occurred, and that at the extremities of the world, and by a piratical horde, amenable to no law but the law of force. The Malays of Sumatra committed a robbery and massacre upon an American vessel. Wretches! they did not then know that Jackson was President of the United States, and that no distance, no time, no idle ceremonial of treating with robbers and assassins, was to hold back the arm of justice. Commodore Downes went out. His cannon and his bayonets struck the outlaws in their den. They paid in terror and in blood for the outrage which was committed; and the great lesson was taught to these distant pirates — to our antipodes themselves — that not even the entire diameter of this globe could protect them, and that the name of American citizen, like that of Roman citizen in the great days of the republic and of the empire, was to be the inviolable passport of all that wore it throughout the whole extent of the habitable world.

At home the most gratifying picture presents itself to the view: the public debt paid off; taxes reduced one-half; the completion of the public defenses systematically commenced; the compact with Georgia, uncomplied with since 1802, now carried into effect, and her soil ready to be freed, as her jurisdiction has been delivered from the presence and incumbrance of an Indian population. Mississippi and Alabama, Georgia, Tennessee, and North Carolina, Ohio, Indiana, Illinois, Missouri, and Arkansas—in a word, all the States incumbered with an Indian population—have been relieved from that incumbrance; and the Indians themselves have been transferred to new and permanent homes, every way better adapted to the enjoyment of their existence, the preservation of their rights, and the improvement of their condition.

The currency is not ruined! On the contrary, seventy-five millions of specie in the country is a spectacle never seen before, and is the barrier of the people against the designs of any banks which may attempt to suspend payments and to force a dishonored paper currency upon the community. These seventy-five millions are the security of the people against the dangers of a depreciated and inconvertible paper money. Gold, after a disappearance of thirty years, is restored to our country. All Europe beholds with admiration the success of our efforts, in three years, to supply ourselves with the currency which our Constitution guarantees, and which the example of France and Holland shows to be so easily attainable, and of such incalculable value to industry, morals, economy, and solid wealth. The success of these efforts is styled, in the best London papers, not merely a reformation, but a revolution, in the currency—a revolution by which our America is now regaining from Europe the gold and silver which she has been sending to them for thirty years past.

Domestic industry is not paralyzed; confidence is not destroyed; factories are not stopped; workmen are not mendicants for bread and employment; credit is not extinguished; prices have not sunk; grass is not growing in the streets of populous cities; the wharves are not lumbered with decaying vessels; columns of curses, rising from the bosoms of a ruined and agonized people, are not ascending to heaven against the destroyer of a nation's felicity and prosperity. On the contrary, the reverse of all this is true, and true to a degree that astonishes and bewilders the

senses. I know that all is not gold that glitters, that there is a difference between a specious and a solid prosperity. I know that a part of the present prosperity is apparent only, the effect of an increase of fifty millions of paper money forced into circulation by one thousand banks; but, after making due allowance for this fictitious and delusive excess, the real prosperity of the country is still unprecedently and transcendently great. I know that every flow must be followed by its ebb, that every expansion must be followed by its contraction. I know that a revulsion in the paper system is inevitable; but I know, also, that these seventy-five millions of gold and silver are the bulwark of the country, and will enable every honest bank to meet its liabilities, and every prudent citizen to take care of himself.

Turning to some points in the civil administration of President Jackson, and how much do we not find to admire! The great cause of the Constitution has been vindicated from an imputation of more than forty years' duration. He has demonstrated, by the fact itself, that a national bank is not "necessary" to the fiscal operations of the Federal government, and in that demonstration he has upset the argument of General Hamilton, and the decision of the Supreme Court of the United States, and all that ever has been said in favor of the constitutionality of a national bank. All this argument and decision rested upon the single assumption of the "necessity" of that institution to the Federal government. He has shown it is not "necessary"; that the currency of the Constitution, and especially a gold currency, is all that the Federal government wants, and that she can get that whenever she pleases. In this single act he has vindicated the Constitution from an unjust imputation, and knocked from under the decision of the Supreme Court the assumed fact on which it rested. He has prepared the way for the reversal of that decision; and it is a question for lawyers to answer, whether the case is not ripe for the application of that writ of most remedial nature, as Lord Coke calls it, and which was invented lest in any case there should be an oppressive defect of justice — the venerable writ of *audita querela defendentis* — to ascertain the truth of a fact happening since the judgment, and upon the due finding of which the judgment will be vacated. Let the lawyers bring their books, and answer us if there is not a case here presented for the application of that ancient and most remedial writ.

From President Jackson the country has first learned the true theory and practical intent of the Constitution, in giving to the Executive a qualified negative on the legislative power of Congress. Far from being an odious, dangerous, or kingly prerogative, this power, as vested in the President, is nothing but a qualified copy of the famous veto power vested in the tribunes of the people among the Romans, and intended to suspend the passage of a law until the people themselves should have time to consider it. The qualified veto of the President destroys nothing; it only delays the passage of a law, and refers it to the people for their consideration and decision. It is the reference of the law, not to a committee of the House, or of the whole House, but to the committee of the whole Union. It is a recommitment of the bill to the people, for them to examine and consider; and if, upon this examination, they are content to pass it, it will pass at the next session. The delay of a few months is the only effect of a veto in a case where the people shall ultimately approve a law; where they do not approve it, the interposition of the veto is the barrier which saves them the infliction of a law, the repeal of which might afterwards be almost impossible. The qualified negative is, therefore, a beneficent power, intended, as General Hamilton expressly declares in the Federalist, to protect, first, the executive department from the encroachments of the legislative department; and, secondly, to preserve the people from hasty, dangerous, or criminal legislation on the part of their representatives. This is the design and intention of the veto power; and the fear expressed by General Hamilton was, that Presidents, so far from exercising it too often, would not exercise it as often as the safety of the people required; they might lack the moral courage to stake themselves in opposition to a favorite measure of the majority of the two houses of Congress, and thus deprive the people, in many instances, of their right to pass upon a bill before it becomes a final law. The cases in which President Jackson has exercised the veto power has shown the soundness of these observations. No ordinary President would have staked himself against the Bank of the United States and the two houses of Congress in 1832. It required President Jackson to confront that power, to stem that torrent, to stay the progress of that charter, and to refer it to the people for their decision. His moral courage was equal to the crisis. He arrested the charter until it could go to the people, and they have arrested it forever.

Had he not done so, the charter would have become law, and its repeal almost impossible. The people of the whole Union would now have been in the condition of the people of Pennsylvania, bestrode by the monster, in daily conflict with him, and maintaining a doubtful contest for supremacy between the government of a State and the directory of a moneyed corporation.

To detail specific acts which adorn the administration of President Jackson, and illustrate the intuitive sagacity of his intellect, the firmness of his mind, his disregard of personal popularity, and his entire devotion to the public good, would be inconsistent with this rapid sketch, intended merely to present general views, and not to detail single actions, howsoever worthy they may be of a splendid page in the volume of history. But how can we pass over the great measure of the removal of the public moneys from the Bank of the United States in the autumn of 1833?—that wise, heroic, and masterly measure of prevention, which has rescued an empire from the fangs of a merciless, revengeful, greedy, insatiate, implacable, moneyed power. It is a remark for which I am indebted to the philosophic observation of my most esteemed colleague and friend [pointing to Dr. Linn], that, while it requires far greater talent to foresee an evil before it happens, and to arrest it by precautionary measures, than it requires to apply an adequate remedy to the same evil after it has happened, yet the applause bestowed by the world is always greatest in the latter case. Of this the removal of the public moneys from the Bank of the United States is an eminent instance. The veto of 1832, which arrested the charter which Congress had granted, immediately received the applause and approbation of a majority of the Union; the removal of the deposits, which prevented the bank from forcing a recharter, was disapproved by a large majority of the country, and even of his own friends; yet the veto would have been unavailing, and the bank would inevitably have been rechartered, if the deposits had not been removed. The immense sums of public money since accumulated would have enabled the bank, if she had retained the possession of it, to have coerced a recharter. Nothing but the removal could have prevented her from extorting a recharter from the sufferings and terrors of the people. If it had not been for that measure, the previous veto would have been unavailing; the bank would have been again installed in power, and this entire Federal government would have been held as

an appendage to that bank, and administered according to her directions and by her nominees. That great measure of prevention, the removal of the deposits, though feebly and faintly supported by friends at first, has expelled the bank from the field, and driven her into abeyance under a State charter. She is not dead, but, holding her capital and stockholders together under a State charter, she has taken a position to watch events and to profit by them. The royal tiger has gone into the jungle, and, crouched on his belly, he awaits the favorable moment for emerging from his cover and springing on the body of the unsuspicious traveler!

The Treasury order for excluding paper money from the land offices is another wise measure, originating in an enlightened forecast and preventing great mischiefs. The President foresaw the evils of suffering a thousand streams of paper money, issuing from a thousand different banks, to discharge themselves on the national domain. He foresaw that, if these currents were allowed to run their course, the public lands would be swept away, the treasury would be filled with irredeemable paper, a vast number of banks must be broken by their folly, and the cry set up that nothing but a national bank could regulate the currency. He stopped the course of these streams of paper, and, in so doing, has saved the country from a great calamity, and excited anew the machinations of those whose schemes of gain and mischief have been disappointed, and who had counted on a new edition of panic and pressure, and again saluting Congress with the old story of confidence destroyed, currency ruined, prosperity annihilated, and distress produced, by the tyranny of one man. They began their lugubrious song; but ridicule and contempt have proved too strong for money and insolence, and the panic letter of the ex-president of the denationalized bank, after limping about for a few days, has shrunk from the lash of public scorn, and disappeared from the forum of public debate.

The difficulty with France: what an instance it presents to the superior sagacity of President Jackson over all the commonplace politicians who beset and impede his administration at home! That difficulty, inflamed and aggravated by domestic faction, wore, at one time, a portentous aspect; the skill, firmness, elevation of purpose, and manly frankness of the President avoided the danger, accomplished the object, commanded the admiration of Europe, and retained the friendship of France. He

conducted the delicate affair to a successful and mutually honorable issue. All is amicably and happily terminated, leaving not a wound, nor even a scar, behind; leaving the Frenchman and American on the ground on which they have stood for fifty years, and should forever stand — the ground of friendship, respect, good will, and mutual wishes for the honor, happiness, and prosperity of each other.

But why this specification? So beneficent and so glorious has been the administration of this President, that where to begin and where to end, in the enumeration of great measures, would be the embarrassment of him who has his eulogy to make. He came into office the first of generals; he goes out the first of statesmen. His civil competitors have shared the fate of his military opponents; and Washington city has been to the American politicians who have assailed him what New Orleans was to the British generals who attacked his lines. Repulsed! driven back! discomfited! crushed! has been the fate of all assailants, foreign and domestic, civil and military. At home and abroad the impress of his genius and of his character is felt. He has impressed upon the age in which he lives the stamp of his arms, of his diplomacy, and of his domestic policy. In a word, so transcendent have been the merits of his administration that they have operated a miracle upon the minds of his most inveterate opponents. He has expunged their objections to military chieftains! He has shown them that they were mistaken; that military men were not the dangerous rulers they had imagined, but safe and prosperous conductors of the vessel of State. He has changed their fear into love. With visible signs they admit their error, and, instead of deprecating, they now invoke the reign of chieftains. They labored hard to procure a military successor to the present incumbent; and if their love goes on increasing at the same rate, the Republic may be put to the expense of periodical wars, to breed a perpetual succession of these chieftains to rule over them and their posterity forever.

To drop this irony, which the inconsistency of mad opponents has provoked, and to return to the plain delineations of historical painting, the mind instinctively dwells on the vast and unprecedented popularity of this President. Great is the influence, great the power, greater than any man ever before possessed in our America, which he has acquired over the public mind. And how has he acquired it? Not by the arts of intrigue, or the

juggling tricks of diplomacy; not by undermining rivals, or sacrificing public interests for the gratification of classes or individuals. But he has acquired it, first, by the exercise of an intuitive sagacity which, leaving all book learning at an immeasurable distance behind, has always enabled him to adopt the right remedy at the right time and to conquer soonest when the men of forms and office thought him most near to ruin and despair. Next, by a moral courage which knew no fear when the public good beckoned him to go on. Last and chiefest, he has acquired it by an open honesty of purpose, which knew no concealments; by a straightforwardness of action, which disdained the forms of office and the arts of intrigue; by a disinterestedness of motive, which knew no selfish or sordid calculation; a devotedness of patriotism, which staked everything personal on the issue of every measure which the public welfare required him to adopt. By these qualities and these means he has acquired his prodigious popularity and his transcendent influence over the public mind; and if there are any who envy that influence and popularity, let them envy also, and emulate, if they can, the qualities and means by which they were acquired.

Great has been the opposition to President Jackson's administration; greater, perhaps, than ever has been exhibited against any government, short of actual insurrection and forcible resistance. Revolution has been proclaimed, and everything has been done that could be expected to produce revolution. The country has been alarmed, agitated, convulsed. From the Senate chamber to the village barroom, from one end of the continent to the other, denunciation, agitation, excitement has been the order of the day. For eight years the President of this republic has stood upon a volcano, vomiting fire and flames upon him, and threatening the country itself with ruin and desolation, if the people did not expel the usurper, despot, and tyrant, as he was called, from the high place to which the suffrages of millions of freemen had elevated him.

Great is the confidence which he has always reposed in the discernment and equity of the American people. I have been accustomed to see him for many years, and under many discouraging trials, but never saw him doubt, for an instant, the ultimate support of the people. It was my privilege to see him often, and during the most gloomy period of the panic conspiracy, when the whole earth seemed to be in commotion against

him, and when many friends were faltering, and stout hearts were quailing before the raging storm which bank machination and senatorial denunciation had conjured up to overwhelm him. I saw him in the darkest moments of this gloomy period; and never did I see his confidence in the ultimate support of his fellow-citizens forsake him for an instant. He always said the people would stand by those who stand by them; and nobly have they justified that confidence! That verdict, the voice of millions, which now demands the expurgation of that sentence which the Senate and the bank then pronounced upon him, is the magnificent response of the people's hearts to the implicit confidence which he then reposed in them. But it was not in the people only that he had confidence; there was another, and a far higher power, to which he constantly looked to save the country, and its defenders, from every danger; and signal events prove that he did not look to that high power in vain.

Sir, I think it right, in approaching the termination of this great question, to present this faint and rapid sketch of the brilliant, beneficent, and glorious administration of President Jackson. It is not for me to attempt to do it justice; it is not for ordinary men to attempt its history. His military life, resplendent with dazzling events, will demand the pen of a nervous writer; his civil administration, replete with scenes which have called into action so many and such various passions of the human heart, and which has given to native sagacity so many victories over practiced politicians, will require the profound, luminous, and philosophical conceptions of a Livy, a Plutarch, or a Sallust. This history is not to be written in our day. The contemporaries of such events are not the hands to describe them. Time must first do its office — must silence the passions, remove the actors, develop consequences, and canonize all that is sacred to honor, patriotism, and glory. In after ages the historic genius of our America shall produce the writers which the subject demands — men far removed from the contests of this day, who will know how to estimate this great epoch, and how to acquire an immortality for their own names by painting, with a master's hand, the immortal events of the patriot President's life.

And now, sir, I finish the task which, three years ago, I imposed on myself. Solitary and alone, and amidst the jeers and taunts of my opponents, I put this ball in motion. The people have taken it up, and rolled it forward, and I am no longer

anything but a unit in the vast mass which now propels it. In the name of that mass I speak. I demand the execution of the edict of the people; I demand the expurgation of that sentence which the voice of a few Senators, and the power of their confederate, the Bank of the United States, has caused to be placed on the journal of the Senate, and which the voice of millions of freemen has ordered to be expunged from it.

AGAINST THE UNITED STATES BANK

(United States Senate, Wednesday, February 2d, 1831)

Mr. President: —

I OBJECT to the renewal of the charter of the Bank of the United States, because I look upon the bank as an institution too great and powerful to be tolerated in a government of free and equal laws. Its power is that of a purse—a power more potent than that of the sword; and this power it possesses to a degree and extent that will enable the bank to draw to itself too much of the political power of this Union, and too much of the individual property of the citizens of these States. The money power of the bank is both direct and indirect.

The direct power of the bank is now prodigious, and, in the event of the renewal of the charter, must speedily become boundless and uncontrollable. The bank is now authorized to own effects, lands inclusive, to the amount of fifty-five millions of dollars, and to issue notes to the amount of thirty-five millions more. This makes ninety millions; and, in addition to this vast sum, there is an opening for an unlimited increase; or, there is a dispensation in the charter to issue as many more notes as Congress, by law, may permit. This opens the door to boundless emissions; for what can be more unbounded than the will and pleasure of successive Congresses? The indirect power of the bank cannot be stated in figures; but it can be shown to be immense. In the first place, it has the keeping of the public moneys, now amounting to twenty-six millions per annum (the Post Office Department included), and the gratuitous use of the undrawn balances, large enough to constitute in themselves the capital of a great State bank. In the next place, its promissory notes are receivable, by law, in purchase of all property owned by the United States, and in payment of all debts due them; and

this may increase its power to the amount of the annual revenue, by creating a demand for its notes to that amount. In the third place, it wears the name of the United States, and has the Federal government for a partner; and this name and this partnership identify the credit of the bank with the credit of the Union. In the fourth place, it is armed with authority to disparage and discredit the notes of other banks, by excluding them from all payments to the United States; and this, added to all its other powers, direct and indirect, makes this institution the uncontrollable monarch of the moneyed system of the Union. To whom is all this power granted? To a company of private individuals, many of them foreigners, and the mass of them residing in a remote and narrow corner of the Union, unconnected by any sympathy with the fertile regions of the great valley, in which the natural power of this Union — the power of numbers — will be found to reside long before the renewed term of a second charter would expire. By whom is all this power to be exercised? By a directory of seven (it may be), governed by a majority of four (it may be); and none of these elected by the people, or responsible to them. Where is it to be exercised? At a single city, distant a thousand miles from some of the States, receiving the produce of none of them (except one); no interest in the welfare of any of them (except one); no commerce with the people; with branches in every State; and every branch subject to the secret and absolute orders of the supreme central head, thus constituting a system of centralism, hostile to the federative principle of our Union, encroaching upon the wealth and power of the States, and organized upon a principle to give the highest effect to the greatest power. This mass of power, thus concentrated, thus ramified, and thus directed, must necessarily become, under a prolonged existence, the absolute monopolist of American money, the sole manufacturer of paper currency, and the sole authority (for authority it will be) to which the Federal government, the State governments, the great cities, corporate bodies, merchants, traders, and every private citizen, must, of necessity, apply, for every loan which their exigencies may demand. . . .

What are the tendencies of a great moneyed power, connected with the government, and controlling its fiscal operations? Are they not dangerous to every interest, public and private, political as well as pecuniary? I say they are, and briefly enumerate the heads of each mischief:—

1. Such a bank tends to subjugate the government, as I have already shown in the history of what happened to the British minister in the year 1795.

2. It tends to collusions between the government and the bank in the terms of the loans, as has been fully experienced in England in those frauds upon the people, and insults upon the understanding, called three per cent. loans, in which the government for about £50 borrowed became liable to pay £100.

3. It tends to create public debt, by facilitating public loans and substituting unlimited supplies of paper for limited supplies of coin. The British debt is born of the Bank of England. That bank was chartered in 1694, and was nothing more nor less in the beginning than an act of Parliament for the incorporation of a company of subscribers to a government loan. The loan was £1,200,000, the interest £80,000, and the expenses of management £4,000. And this is the birth and origin, the germ and nucleus of that debt, which is now £900,000,000 (the unfunded items included), which bears an interest of £30,000,000, and costs £260,000 for annual management.

4. It tends to beget and prolong unnecessary wars, by furnishing the means of carrying them on without recurrence to the people. England is the ready example for this calamity. Her wars for the restoration of the Capet Bourbons were kept up by loans and subsidies created out of bank paper. The people of England had no interest in these wars, which cost them about £600,000,000 of debt in twenty-five years, in addition to the supplies raised within the year. The kings she put back upon the French throne were not able to sit on it. Twice she put them on; twice they tumbled off in the mud; and all that now remains of so much sacrifice of life and money is the debt, which is eternal; the taxes, which are intolerable; the pensions and titles of some warriors, and the keeping of the Capet Bourbons, who are returned upon their hands.

5. It tends to aggravate the inequality of fortunes; to make the rich richer, and the poor poorer; to multiply nabobs and paupers, and to deepen and widen the gulf which separates Dives from Lazarus. A great moneyed power is favorable to great capitalists, for it is the principle of money to favor money. It is unfavorable to small capitalists, for it is the principle of money to eschew the needy and unfortunate. It is injurious to the laboring classes, because they receive no favors and have the price

of the property they wish to acquire raised to the paper maximum, while wages remain at the silver minimum.

6. It tends to make and to break fortunes, by the flux and reflux of paper. Profuse issues and sudden contractions perform this operation, which can be repeated, like planetary and pestilential visitations, in every cycle of so many years; at every periodical return, transferring millions from the actual possessors of property to the Neptunes who preside over the flux and reflux of paper. The last operation of this kind performed by the Bank of England, about five years ago, was described by Mr. Alexander Baring, in the House of Commons, in terms which are entitled to the knowledge and remembrance of American citizens. I will read his description, which is brief but impressive. After describing the profuse issues of 1823–24, he painted the reaction in the following terms: —

"They, therefore, all at once, gave a sudden jerk to the horse on whose neck they had before suffered the reins to hang loose. They contracted their issues to a considerable extent. The change was at once felt throughout the country. A few days before that no one knew what to do with his money; now no one knew where to get it. . . . The London bankers found it necessary to follow the same course towards their country correspondents, and these again towards their customers, and each individual towards his debtor. The consequence was obvious in the late panic. Every one desirous to obtain what was due to him ran to his banker, or to any other on whom he had a claim; and even those who had no immediate use for their money took it back and let it lie unemployed in their pockets, thinking it unsafe in others' hands. The effect of this alarm was that houses which were weak went immediately. Then went second-rate houses; and, lastly, houses which were solvent went, because their securities were unavailable. The daily calls to which each individual was subject put it out of his power to assist his neighbor. Men were known to seek for assistance, and that, too, without finding it, who, on examination of their affairs, were proved to be worth £200,000 — men, too, who held themselves so secure that if asked six months before whether they could contemplate such an event, they would have said it would be impossible, unless the sky should fall, or some other event equally improbable should occur."

This is what was done in England five years ago; it is what may be done here in every five years to come, if the bank charter is renewed. Sole dispenser of money, it cannot omit the oldest and most obvious means of amassing wealth by the flux

and reflux of paper. The game will be in its own hands, and the only answer to be given is that to which I have alluded: "The Sultan is too just and merciful to abuse his power."

"THERE IS EAST: THERE IS INDIA"

(From a Speech Delivered in St. Louis in 1849)

We live in extraordinary times and are called upon to elevate ourselves to the grandeur of the occasion. Three and a half centuries ago the great Columbus, the man who afterwards was carried home in chains from the New World which he discovered, this great Columbus, in the year 1492, departed from Europe to arrive in the east by going to the west. It was a sublime conception, he was in the line of success, when the intervention of two continents, not dreamed of before, stopped his progress. Now in the nineteenth century mechanical genius enables his great design to be fulfilled. In the beginning and in barbarous ages, the sea was a barrier to the intercourse of nations. It separated nations. Mechanical genius invented the ship, which converted the barrier into a facility. Then land and continents became an obstruction. The two Americas intervening have prevented Europe and Asia from communicating on a straight line. For three centuries and a half this obstacle has frustrated the grand design of Columbus. Now in our day, mechanical genius has again triumphed over the obstacles of nature and converted into a facility what had so long been an impassable obstacle. The steam car has worked upon the land among enlightened nations to a degree far transcending the miracle which the ship in barbarous ages worked upon the ocean. The land has now become a facility for the most distant communication. A conveyance being invented which annihilated both time and space, we hold the intervening land; we hold the obstacle which stopped Columbus; we are in the line between Europe and Asia; we have it in our power to remove that obstacle; to convert it into a facility to carry him on to this land of promise and of hope with a rapidity and precision and a safety unknown to all ocean navigation. A king and queen started him upon this grand enterprise. It lies in the hands of a republic to complete it. It is in our hands, in the hands of us, the people of the United States, of the first half of the nineteenth century. Let us raise ourselves up.

Let us rise to the grandeur of the occasion. Let us complete the grand design of Columbus by putting Europe and Asia into communication and that to our advantage, through the heart of our country. Let us give to his ships a continued course unknown to all former times. Let us make an iron road, and make it from sea to sea, States and individuals making it east of the Mississippi and the Nation making it west. Let us now, in this convention rise above everything sectional, personal, local. Let us beseech the national legislature to build a great road upon the great national line which unites Europe and Asia — the line which will find on our continent the Bay of San Francisco on one end, St. Louis in the middle, and the great national metropolis and emporium at the other, and which shall be adorned with its crowning honor, the colossal statue of the great Columbus, whose design it accomplishes, hewn from a granite mass of a peak of the Rocky Mountains, the mountain itself the pedestal, and the statue a part of the mountain, pointing with outstretched arm to the western horizon, and saying to the flying passengers, "There is East: there is India!"

ST. BERNARD OF CLAIRVAUX

(1091–1153)

SAINT BERNARD is one of the few great orators of the Middle Ages whose eloquence is still self-explanatory. Often, if not generally, in reading addresses, sermons, and homilies translated from Middle Age Latin into modern languages, we wonder what it is in them that could so have moved men as we know they were moved by them. St. Bernard excites no such wonder, but rather moves us first to assent and then to admiration. He is one of the few great orators and writers whose power can be transferred from one language to another. To read ten sentences of one of the sermons in which he preached the twelfth-century Crusade is to be able to understand the otherwise unaccountable enthusiasm he never failed to excite in his hearers. Other orators of the Middle Ages may have been more admired in their time, but Bernard seems more worthy than any of the rest to rank with the great classical and modern masters of eloquence whose utterances are for all time.

He was born in Burgundy in 1091, and at twenty-two joined a small monastery near Citeaux, being even then so eloquent that he persuaded his two elder brothers to give up the military life they had chosen and follow him into the monastery. What is more remarkable, one of them had a wife and children whom he abandoned in leaving the world, and so many others imitated his sacrifice that it is said "mothers hid their sons, wives their husbands, and companions their friends" to prevent them from following Bernard to become monks.

In 1115 he left the monastery at Citeaux and founded a new one at Clairvaux, which soon became famous throughout Europe. The most notable events in his career of remarkable achievement were the controversy in which he worsted Abélard, his support of Pope Innocent II. against the rival pope, Anacletus II., and his 'Preaching the Crusade.' He died August 20th, 1153.

PREACHING THE CRUSADE

(From Michaud's 'History of the Crusades')

You cannot but know that we live in a period of chastisement and ruin; the enemy of mankind has caused the breath of corruption to fly over all regions; we behold nothing but unpunished wickedness. The laws of men or the laws of religion have no longer sufficient power to check depravity of manners and the triumph of the wicked. The demon of heresy has taken possession of the chair of truth, and God has sent forth his malediction upon his sanctuary. Oh, ye who listen to me, hasten then to appease the anger of heaven, but no longer implore his goodness by vain complaints; clothe not yourselves in sackcloth, but cover yourselves with your impenetrable bucklers; the din of arms, the dangers, the labors, the fatigues of war are the penances that God now imposes upon you. Hasten then to expiate your sins by victories over the infidels, and let the deliverance of holy places be the reward of your repentance.

If it were announced to you that the enemy had invaded your cities, your castles, your lands; had ravished your wives and your daughters, and profaned your temples, which among you would not fly to arms? Well, then, all these calamities, and calamities still greater, have fallen upon your brethren, upon the family of Jesus Christ, which is yours. Why do you hesitate to repair so many evils — to revenge so many outrages? Will you allow the infidels to contemplate in peace the ravages they have committed on Christian people? Remember that their triumph will be a subject for grief to all ages, and an eternal opprobrium upon the generation that has endured it. Yes, the living God has charged me to announce to you that he will punish them who shall not have defended him against his enemies. Fly then to arms; let a holy rage animate you in the fight, and let the Christian world resound with these words of the prophet, "Cursed be he who does not stain his sword with blood!" If the Lord calls you to the defense of his heritage, think not that his hand has lost its power. Could he not send twelve legions of angels, or breathe one word, and all his enemies would crumble away into dust? But God has considered the sons of men, to open for them the road to his mercy. His goodness has caused to dawn

for you a day of safety, by calling on you to avenge his glory and his name. Christian warriors, he who gave his life for you, to-day demands yours in return. These are combats worthy of you, combats in which it is glorious to conquer and advantageous to die. Illustrious knights, generous defenders of the cross, remember the example of your fathers who conquered Jerusalem, and whose names are inscribed in heaven; abandon then the things that perish to gather unfading palms, and conquer a kingdom which has no end.

ADVICE TO YOUNG MEN

Do not put forward the empty excuse of your rawness or want of experience; for barren modesty is not pleasing, nor is that humility praiseworthy that passes the bounds of moderation. Attend to your work; drive out bashfulness by a sense of duty, and act as like master. You are young, yet you are a debtor; you must know that you were a debtor from the day you were born. Will youth be an excuse to a creditor for the loss of his profits? Does the usurer expect no interest at the beginning of his loan? "But," you say, "I am not sufficient for these things." As if your offering were not accepted from what you have, and not from what you have not! Be prepared to answer for the single talent committed to your charge, and take no thought for the rest. "If thou hast much, give plenteously; if thou hast little, do thy diligence gladly to give of that little." For he that is unjust in the least is also unjust in much. Give all, as assuredly you shall pay to the uttermost farthing; but, of a truth, out of what you possess, not out of what you possess not.

Take heed to give to your words the voice of power. You ask, What is that? It is that your words harmonize with your works, that you be careful to do before you teach. It is a most beautiful and salutary order of things that you should first bear the burden you place on others, and learn from yourself how men should be ruled. Otherwise the wise man will mock you, as that lazy one to whom it is labor to lift his hand to his mouth. The Apostle also will reprove you, saying: "Thou who teachest another, teachest thou not thyself?" . . . That speech, also, which is full of life and power is an example of work, as it

makes easy what it speaks persuasively, while it shows that can be done which it advises. Understand, therefore, to the quieting of your conscience, that in these two commandments,—of precept and example, the whole of your duty resides. You, however, if you be wise, will add a third, namely, a zeal for prayer, to complete that treble repetition of the Gospel in reference to "feeding the sheep." You will know that no sacrament of that Trinity is in any wise broken by you, if you feed them by word, by example, and by the fruit of holy prayers. Now abideth speech, example, prayer, these three; but the greatest of these is prayer. For although, as has been said, the strength of speech is work, yet prayer wins grace and efficacy for both work and speech.

AGAINST LUXURY IN THE CHURCH

I am astonished to see among churchmen such excess in eating, in drinking, in clothes, in bed-covering, in horse-trappings, in buildings. Economy is now stigmatized as avarice, soberness as austerity, silence as sullenness. On the other hand, laxity is called discretion, extravagance liberality, talkativeness affability, silly laughter a happy wit, pomp and luxury in horses and clothing, respectability; superfluous attention to the building is called cleanliness; and when you countenance one another in these trifles, that forsooth is charity. So ingeniously do ye lay out your money, that it returns with a manifold increase. It is spent that it may be doubled, and plenty is born of profusion. By the exhibition of wonderful and costly vanities, men are excited to give rather than to pray. Some beautiful picture of a saint is shown, and the brighter its coloring the greater is the holiness attributed to it; men run eager to kiss; they are invited to give, and the beautiful is more admired than the sacred is revered. In the churches are placed, not *coronæ*, but wheels studded with gems and surrounded by lights, which are not less glittering than the precious stones inserted among them. Instead of candlesticks, we see great and heavy trees of brass, wonderfully fashioned by the skill of the artificer, and radiant as much through their jewels as through their own lights. What do you imagine to be the object of all this? The repentance of the contrite, or the admiration of the spectators? O vanity of vanities! But not greater vanity than folly.

ON THE CANTICLES

REMEMBER that no spirit can by itself reach unto our minds — that is, supposing it to have no assistance from our body or its own. No spirit can so mingle with us, and be poured into us, that we become in consequence either good or learned. No angel, no spirit can comprehend me; none can I comprehend in this manner. Even angels themselves cannot seize each others' thoughts without bodily organs. This prerogative is reserved for the highest, the unbounded spirit, who alone, when he imparts knowledge either to angel or to man, needs not that we should have ears to hear, or that we should have a mouth to speak. By himself he is poured in; by himself he is made manifest. Pure himself, he is understood by the pure. He alone needs nothing; alone is sufficient to himself and to all by his sole omnipotent will.

I could not pass over in silence those spiritual feet of God, which, in the first place, it behooves the penitent to kiss in a spiritual manner. I well know your curiosity, which does not willingly allow anything obscure to pass by it; nor indeed is it a contemptible thing to know what are those feet which the Scripture so frequently mentions in connection with God. Sometimes he is spoken of as standing on them, as "We will worship in the place where thy feet have stood." Sometimes as walking, as "I will dwell in them and will walk in them." Sometimes even as running, as "He rejoiceth as a strong man to run a race." If it appear right to the Apostle to call the head of Christ God it appears to me as not unnatural to consider his feet as representing man; one of which I shall name mercy and the other judgment. Those two words are known to you, and the Scripture repeats them in many places. On those feet, fitly moving under one divine head, Christ, born of a woman, he who was invisible under the law, then made Emmanuel ("God with us"), was seen on the earth, and conversed with men.

As regards creatures devoid of sense and reason, who can doubt that God needs them much less? but when they concur in the performance of a good work, then it appears how all things serve him who can justly say: "The world is mine, and the fullness thereof." Assuredly, seeing that he knows the means best adapted to ends, he does not in the service of his creatures seek efficacy, but suitability.

JOHN M. BERRIEN

(1781–1856)

JOHN M. BERRIEN was Attorney-General in Andrew Jackson's first cabinet and he was identified with the public life of the country during three of the most important decades of its history. His public service began with his appointment as Judge of the Eastern District of Georgia. He served in the Georgia legislature and was elected to the United States Senate from that State. After his retirement from the cabinet, he was again elected to the United States Senate and in 1846 was re-elected. He was born in New Jersey in 1781 and died in 1856. His speeches still extant contain passages of great, if not of sustained force. He was much admired in his own State and in the South at large, and his utterances will always have a historical interest as reflexes of the feelings of his time.

CONQUEST AND TERRITORIAL ORGANIZATION

(United States Senate, 1850)

WITH respect to the war-making power, unquestionably territory might be acquired by conquest, not conveyed by treaty. There may be a continued hostile occupation unsupported by a treaty of cession, which may, by lapse of time, destroy the right of the conquered party, the right of *postliminium*, and therefore the fruits of the conquest may be enjoyed without treaty. In that state of things, unquestionably, as to territory acquired by the exercise of the war-making power, the power to govern that territory would be deduced from the same source.

But, sir, speaking generally, almost universally, wars are terminated by treaty, and the conquests are transferred to the acquiring power by cession. The real source and origin of this power, therefore, are to be found in the treaty-making power, and its derivatives. It might be implied as a necessary incident to the power to make treaties, but it is more generally the result

of express stipulations made in the exercise of that power. I shall be understood by a brief explanation, and by the application of it to the case before us. By the power which you have to enter into treaties with foreign nations, you have acquired this Mexican territory. If it were indispensable to you to resort to the principle that the right to acquire gives you the right to govern, I agree that the right might be deduced from that source. But this is not necessary; for there is in the treaty an express stipulation for the exercise of the power, which is equivalent to a grant, under which we are not only authorized, but bound to exercise it, since treaties, when they are not in conflict with the Constitution, and when they are ratified by the competent authorities of the nation, become the supreme law of the land. In those treaties — in all of those which are treaties of cession — the right to receive the ceded territories is accompanied by the express stipulation to govern, by the stipulation to protect them in their persons and in their property, which can alone be done by government. The power, then, to govern a territory which is acquired by cession from a foreign nation is a power deduced from the treaty by which that territory is acquired; which treaty, upon its ratification, becomes the supreme law of the land.

And now, sir, I think you may see what is the reason that there is no express grant in the Constitution to organize Territorial Governments. That reason may be found in the fact that there was no necessity for its existence there. Cast your recollection back to the period when the Constitution was adopted — consider what were the objects upon which this power to organize territorial governments could be exercised. They were, first, the unlocated territory of the United States. And what was that? The great Northwestern Territory, the subject of the famous ordinance of 1787. Now, in respect to that territory, it was a portion of the State of Virginia, subject to the sovereign law of Virginia. While Virginia held it, it was competent for her to organize a government there; and when the sovereignty of Virginia was transferred to the Confederation, if the Confederation had had the power to receive the transfer, the sovereign power which had been theretofore in Virginia might have been exercised by the Confederation. There is, I presume, scarcely a lawyer of the present day, who supposes that the Congress of the Confederation had the power to do what they did. But validity was given to their act — not by the act of Congress adapting the

mere agency provided by the ordinance to the state of things which existed under the new Constitution — not by that, or any other act of Congress, but by the clause of the Constitution which declares that contracts and engagements entered into by the government of the Confederation should be obligatory upon the government of the United States established by the Constitution. Here, then, was a contract entered into between Virginia and the Federal Congress, which was rendered valid by a stipulation of the Constitution of the United States. From that transfer of the sovereignty by Virginia, and this recognition of it by the Constitution of the United States, is derived the authority to organize governments in these territories. When, therefore, Congress have organized governments for the several territories parcelled out of the Northwestern Territory, they have not acted under the power which you are now calling into exercise, but under the power derived from the transfer of the sovereignty of Virginia, and the provision of the Constitution of the United States which gave validity to that act.

That disposes of the first class of territorial governments organized by the United States — those in the Northwestern Territory. Now, with regard to the second: that is, governments which have been organized in territories which were heretofore portions of different States of this Union, which were unlocated at the time of the adoption of the Constitution, and which have, by subsequent cession, been transferred to the United States, precisely the same principle was applicable to them, as in the case which I have been considering. Georgia ceded to the United States an extent of territory which now constitutes the two great States of Alabama and Mississippi. While they remained under the sovereignty of Georgia it was competent to her to have organized territorial governments within their limits; but she ceded them to the United States, and transferred, not merely the soil, but, by the express terms of the articles of cession, the sovereignty and jurisdiction. She did more. She stipulated for the organization of territorial governments within those territories. This was therefore sufficient authority for establishing territorial governments in the Territories of Mississippi and Alabama. Tennessee was territory ceded from North Carolina to the United States, and was in like condition.

Then there remains the other class of territorial governments, organized upon territory acquired by the United States from

foreign powers; and for the organization of governments within those territories it was always competent to the United States to do whatever was necessary for the fulfillment of its treaty stipulations, which, by the act of ratification, became the supreme law of the land.

I suggest to you, then, sir, that this alone furnishes a sufficient explanation (without resorting to the supposition that our ancestors did not anticipate the future extension of the limits of the Republic) why there was no express power to organize territorial governments contained in the Constitution — namely, that the grant of such power was wholly unnecessary; that with regard to the unlocated territory of the United States — that which was within its limits at the time of the formation of the Constitution — it was competent for the government of the United States to establish governments by virtue of the transfer of the sovereignty of Virginia, and the recognition of the validity of that transfer as an engagement of the former government, by the Constitution of the United States; that in relation to territory within the limits of particular States, the same power was acquired by the cession and transfer of sovereignty of the ceding States. And with regard to such territory as should be acquired from foreign nations, it was competent to the government of the United States to establish territorial governments, in virtue of treaty stipulations which they were authorized to make, and bound to execute.

EFFECT OF THE MEXICAN CONQUEST

(United States Senate, February 11th, 1850)

I HAVE united, heretofore — at some personal hazard of popularity and station — I have united with my friends of the free States; foreseeing the consequences of the measures which were then in operation — foreseeing the evils which they would bring upon us, I have joined with them at some such hazard in the effort to prevent it. We failed. The evil is upon us. The territory which we have acquired by an expenditure of blood and treasure is about to subject us — unless under the mercy of Providence, we are guided by wiser counsels than those we have exhibited — to an expenditure, in comparison with which the blood and treasure expended upon the Mexican conquest would sink into insignificance. I have united with the representatives

of the free States in the effort to prevent the occurrence of this difficulty. Nay, sir, if some two or three of them could have remained firm upon the ground they had occupied, it would have been prevented. I am desirous now to unite in averting, if it be possible, the dangers which are threatened. It may require some self-sacrifice: it may require the sacrifice of popularity or official station. I am willing to make it, if you will present to me any ground upon which an honest man may unite with you in giving peace to the country. I know, sir, that in making this offer the sacrifice upon my part would be comparatively trifling with those of men in the earlier stages of life, with more extended prospects for the future, and with greater political aspirations. But I am willing to give you all I have. It may be less than the widow's mite, but it is all that I have to give, for the first desire of my heart is that to which you cannot minister.

I have endeavored thus to present to the consideration of the Senate the impressions of my own mind, in relation to the magnitude and difficulty of this subject, for the purpose of urging upon them the truth of the conviction, which I feel, that if these difficulties can indeed be surmounted, it is only by a calm, dispassionate, and, as far as may be, impartial consideration of them, under a full sense of the duties which we owe to each other as members of this great society of States. And I derive something of hope — oh, no, sir, that falls far short of conveying what I would express — I derive a hope amounting almost to confidence, from the cheering recollection that these difficulties, these self-same difficulties, existed at the time of the adoption of our Constitution, and that they were then surmounted by the patriotism of our fathers.

There are other difficulties which have been connected with this subject. They have been generated by the madness of fanaticism; by the colder, more calculating, more selfish spirit of political demagogues; by the excitable and excited feelings of a wronged and insulted people. These may be surmounted, if we resolve to meet them in the unselfish, self-sacrificing spirit which our duty demands from all and from each of us, with a determination, on every side of this great question, to yield whatever may be yielded without a sacrifice, not of mere speculative opinion, but of constitutional principle. Sir, there have been many crises in the brief history of this Republic — appalling dangers have often menaced us — and we have more than once stood

upon the brink of a precipice from which one advancing step would have plunged us into the fathomless abyss of anarchy, with all its countless horrors. At least such has been the picture presented to us by our political orators and political essayists, from the rostrum and from the press. And yet, sir, in the deepest hour of gloom, there has ever been found some auspicious moment in which the light of truth has penetrated the clouds of folly and passion, of fanaticism and selfishness; has dissipated the mists of error; has awakened the slumbering patriotism of our countrymen, and has revealed to us our glorious charter, unscathed amid the tumult, in all its original strength and vigor. So may it ever be! In the darkest hour of our national fortunes let us never despair — no, sir, let us never despair. For myself, though age has somewhat checked the current of my blood, I would still cling to this hope with all the hopefulness of youth.

. . . . . .

I have an abiding confidence that the God of our fathers will be the God of their children — that he will be our God; that he will graciously enable us to preserve that glorious fabric, which his mercy and his goodness, not the might and strength of our ancestors, enabled them to construct; and that countless generations, enjoying the rich heritage which they have transmitted to us, and which, by his blessing, we will transmit to them, will in distant ages unite in the tribute of gratitude to their memories, which, in this our day, it is our privilege to offer.

Yet, sir, we must not forget in indulging in this hope that the providence of God is often exerted through the agency of man, and that we must be mindful of our own duties if we would hope for his mercy. I ask of my honorable associates in this chamber, then, to come to the consideration of this subject in that spirit of conciliation which can alone lead to a propitious result. I ask them to remember that we are brethren of a common family, united by a thousand social as well as political ties. I ask them especially to remember, that in such a conflict as that which menaces us, the splendor of victory would be dimmed by the unnatural character of the strife in which it was achieved.

PIERRE ANTOINE BERRYER

(1790–1868)

IERRE ANTOINE BERRYER, one of the most noted parliamentary orators of France during the second quarter of the nineteenth century, was born at Paris, January 4th, 1790. He was the son of an eminent advocate of Paris who educated him for his own profession. He joined his father in supporting the Bourbons against Napoleon I., and in the Hundred Days' campaign he followed Louis XVIII. to Ghent as a volunteer. He was one of the counsel for the defense at the trial of Marshal Ney. He took part in many of the most important trials of his time, especially in the defense of the Press when the Police Department undertook to enforce the censorship against Parisian newspapers. In 1830 he was elected a member of the French Chamber of Deputies, retaining his seat after the revolution of July, when the other Legitimists withdrew in a body. He resisted unsuccessfully the abolition of the peerage, and advocated trial by jury in the prosecution of newspaper editors for libel. In the troubles of 1832 he was arrested, but was acquitted on his trial, for organizing an insurrection in favor of the Count of Chambord. He was a member of the National Assembly which was called after the Revolution of February 1848. His parliamentary career closed with his protest against the *coup d'état* of 1851. Twelve years later he reappeared as a deputy to the Corps Legislatif. He was elected a member of the French Academy in 1854. In 1865 he visited Lord Brougham, and the benchers of the Temple and of Lincoln's Inn gave him a banquet. He died in November 1868 at his country seat at Augerville.

CENSORSHIP OF THE PRESS

(Delivered February 15th, 1868)

I HAVE but few words to say in presenting a brief amendment to the Press law now under discussion. This paragraph was suggested to me by the grave circumstances now existing which have a profound influence on private rights.

The principle of the matter now under consideration is this: Private life should be walled in and sacred, but public life has no such right. All public existence created by great public interests and all variations of these interests create a responsibility, and this responsibility is moral as well as material. There is no gainsaying this, and all public functionaries admit they are responsible for their personal actions. But in opposition to them we find a body of men occupying an anomalous position. Immense establishments have been founded, which have attained such exaggerated proportions in their influence on public and private life that the men responsible for their direction are more powerful than even public characters. I speak particularly of the directors of the great corporate companies and financial institutions who are irresponsible, or at least their acts are impersonal and official and free from direct responsibility.

What have we seen and what do we still see? A large number of such establishments are founded; they develop and some crumble. Values or their equivalents have been emitted by these concerns under the direction of men responsible for nothing. They are issued in enormous proportions up to the hundreds of millions, even to the billion mark. What is the character of many of these values created by establishments calling themselves French? What social, business, and political calamities have resulted? You have seen shares issued at five hundred francs sold for one thousand nine hundred francs and then fall, carrying ruin to the citizens to whom they had been transferred under the faith of the government, since the authorization of the government was necessary to the foundation of such establishments. And have any of them a censor placed near or over them? There should be rigorous censorship over all stock companies. They are freed from all supervision now, and I believe it an error. Well, I ask when private fortune in such colossal proportions is exposed to disaster: Is this not a public danger?

Is it not for the general interest that the actions of such societies, the commerce of their directors and administrators, should be called to public attention, that every one may know what is occurring?

If, in reviewing the deeds of these gentlemen, we find that these deeds are criminal in character, and worthy of condemnation, is it well that the publisher of such news to the public should be prosecuted for defamation, because he makes known to his fellow-citizens fraudulent manœuvres and irregular operations, when in so doing he acts from an evident general interest of honesty against men who have in their hands the fate of interests so vast that it is really the cause of administrative justice to make public the lies, falsities, and perils which are evident in much of the certificate values in circulation? The Lord knows how, when one has had the courage to say, "Here are their practices, here are the secret acts, here is what menaces you," shall he be censured and punished for defamation as having brought disgrace to or soiled the dignity of such corporate administrators. I repeat that the proof of facts which interest private fortunes in such degree may be said to be public facts, and their free publication should be authorized. With this view I present the amendment to make such officials subject to the Press censures applicable to political and public functionaries.

JOHN A. BINGHAM

(1815–)

THE trial of the assassins of President Lincoln was, in many respects, the most important State case in the history of English-speaking peoples since the discovery of America. As often happens where the occasion demands much, its very dignity may excite disappointment with the result, but it would be hard to overestimate the importance of such arguments as those of Bingham, Reverdy Johnson, and others, who handled the law and the evidence before the military commission which tried the conspirators. However great the disadvantage under which the attorneys for the defense were placed their arguments lose nothing in value with the passage of time, while on several points the argument for the prosecution has been outlawed by time. When Guiteau murdered President Garfield no one questioned the genuineness of the indignation of those he insanely claimed to represent, and the murderers of President Lincoln have long ago come to be regarded not as traitors but merely as assassins. The charges and the arguments supporting them as far as they are intended to suggest treason rather than murder are now universally looked upon as the result of a mistake of judgment excusable enough in the excitement of the times, but not justified by any evidence or any argument presented in connection with the evidence.

AGAINST THE ASSASSINS OF PRESIDENT LINCOLN

MAY it please the Court: It only remains for me to sum up the evidence, and present my views of the law arising upon the facts in the case on trial. The questions of fact involved in the issue are:—

First, did the accused, or any two of them, confederate and conspire together, as charged? and,

Second, did the accused, or any of them, in pursuance of such conspiracy, and with the intent alleged, commit either or all of the several acts specified?

If the conspiracy be established, as charged, it results that whatever was said or done by either of the parties thereto, in the furtherance or execution of the common design, is the declaration or act of all the other parties to the conspiracy; and this, whether the other parties, at the time such words were uttered or such acts done by their confederates, were present or absent — here, within the entrenched lines of your capital, or crouching behind the entrenched lines of Richmond, or awaiting the results of their murderous plot against their country, its Constitution and laws, across the border, under the shelter of the British flag.

The declared and accepted rule of law in cases of conspiracy is that: —

"In prosecutions for conspiracy it is an established rule that where several persons are proved to have combined together for the same illegal purpose, any act done by one of the party, in pursuance of the original concerted plan, and in reference to the common object, is, in the contemplation of law as well as in sound reason, the act of the whole party; and, therefore, the proof of the act will be evidence against any of the others who were engaged in the same general conspiracy, without regard to the question whether the prisoner is proved to have been concerned in the particular transaction." (Phillips on Evidence, p. 210.)

The same rule obtains in cases of treason: —

"If several persons agree to levy war, some in one place and some in another, and one party do actually appear in arms, this is a levying of war by all, as well those who were not in arms as those who were, if it were done in pursuance of the original concert, for those who made the attempt were emboldened by the confidence inspired by the general concert, and, therefore, these particular acts are in justice imputable to all the rest." (1 East., Pleas of the Crown, p. 97; Roscoe 84.)

In *Ex parte* Bollman and Swartwout, 4 Cranch, 126, Marshall, Chief-Justice, rules: —

"If war be actually levied — that is, if a body of men be actually assembled for the purpose of effecting by force a treasonable purpose — all those who perform any part, however minute, or however remote from the scene of action, and who are actually leagued in the general conspiracy, are to be considered as traitors."

In the United States *versus* Cole *et al.*, 5 McLean, 601, Mr. Justice McLean says:—

"A conspiracy is rarely, if ever, proved by positive testimony. When a crime of high magnitude is about to be perpetrated by a combination of individuals, they do not act openly, but covertly and secretly. The purpose formed is known only to those who enter into it. Unless one of the original conspirators betray his companions and give evidence against them, their guilt can be proved only by circumstantial evidence. It is said by some writers on evidence that such circumstances are stronger than positive proof. A witness swearing positively, it is said, may misapprehend the facts or swear falsely, but that circumstances cannot lie.

"The common design is the essence of the charge; and this may be made to appear when the defendants steadily pursue the same object, whether acting separately or together, by common or different means, all leading to the same unlawful result. And where *prima facie* evidence has been given of a combination, the acts or confessions of one are evidence against all. It is reasonable that where a body of men assume the attribute of individuality, whether for commercial business or for the commission of a crime, that the association should be bound by the acts of one of its members in carrying out the design."

It is a rule of the law, not to be overlooked in this connection, that the conspiracy or agreement of the parties, or some of them, to act in concert to accomplish the unlawful act charged, may be established either by direct evidence of a meeting or consultation for the illegal purpose charged, or more usually, from the very nature of the case, by circumstantial evidence. (2 Starkie, 232.)

Lord Mansfield ruled that it was not necessary to prove the actual fact of a conspiracy, but that it might be collected from collateral circumstances. (Parson's Case, 1 W. Blackstone, 392.)

"If," says a great authority on the law of evidence, "on a charge of conspiracy, it appear that two persons by their acts are pursuing the same object, and often by the same means, or one performing part of the act, and the other completing it, for the attainment of the same object, the jury may draw the conclusion there is a conspiracy. If a conspiracy be formed, and a person join in it afterward, he is equally guilty with the original conspirators." (Roscoe, 415.)

"The rule of the admissibility of the acts and declarations of any one of the conspirators, said or done in furtherance of the common

design, applies in cases as well where only part of the conspirators are indicted, or upon trial, as where all are indicted and upon trial. Thus, upon an indictment for murder, if it appear that others, together with the prisoner, conspired to commit the crime, the act of one done in pursuance of that intention will be evidence against the rest." (2 Starkie, 237.)

They are all alike guilty as principals. (Commonwealth *versus* Knapp, 9 Pickering, 496; 10 Pickering, 477; 6 Term Reports, 528; 11 East. 584.) . . .

Was there co-operation between the several accused in the execution of this conspiracy? That there was is as clearly established by the testimony as is the fact that Abraham Lincoln was killed and murdered by John Wilkes Booth. The evidence shows that all of the accused, save Mudd and Arnold, were in Washington on April 14th, the day of the assassination, together with John Wilkes Booth and John H. Surratt; that on that day Booth had a secret interview with the prisoner, Mary E. Surratt; that immediately thereafter she went to Surrattsville to perform her part of the preparation necessary to the successful execution of the conspiracy, and did make that preparation; that John H. Surratt had arrived here from Canada, notifying the parties that the price to be paid for this great crime had been provided for, at least in part, by the deposit receipts of April 6th, for $180,000, procured by Thompson, of the Ontario Bank, Montreal, Canada; that he was also prepared to keep watch, or strike a blow, and ready for the contemplated flight; that Atzerodt, on the afternoon of that day, was seeking to obtain a horse, the better to secure his own safety by flight, after he should have performed the task which he had voluntarily undertaken by contract in the conspiracy — the murder of Andrew Johnson, then Vice-President of the United States; that he did procure a horse for that purpose at Naylor's and was seen about nine o'clock in the evening to ride to the Kirkwood House, where the Vice-President then was, dismount, and enter. At a previous hour Booth was in the Kirkwood House, and left his card, now in evidence, doubtless intended to be sent to the room of the Vice-President, and which was in these words: "Don't wish to disturb you. Are you at home? J. Wilkes Booth." Atzerodt, when he made application at Brooks's in the afternoon for the horse, said to Weichmann, who was there, he was going to ride in the country, and that "he was going to get a horse and send for

Payne." He did get a horse for Payne, as well as for himself; for it is proven that on the twelfth he was seen in Washington, riding the horse which had been procured by Booth, in company with Mudd, last November, from Gardner. A similar horse was tied before the door of Mr. Seward on the night of the murder, was captured after the flight of Payne, who was seen to ride away, and which horse is now identified as the Gardner horse. Booth also procured a horse on the same day, took it to his stable in the rear of the theatre, where he had an interview with Spangler, and where he concealed it. Herold, too, obtained a horse in the afternoon, and was seen between nine and ten o'clock riding with Atzerodt down the avenue from the Treasury, then up Fourteenth and down F Street, passing close by Ford's Theatre.

O'Laughlin had come to Washington the day before, had sought out his victim, General Grant, at the house of the Secretary of War, that he might be able with certainty to identify him, and at the very hour when these preparations were going on was lying in wait at Rullman's, on the avenue, keeping watch, and declaring as he did, at about ten o'clock P. M., when told that the fatal blow had been struck by Booth, "I don't believe Booth did it." During the day, and the night before, he had been visiting Booth, and doubtless encouraging him, and at that very hour was in position, at a convenient distance, to aid and protect him in his flight, as well as to execute his own part of the conspiracy by inflicting death upon General Grant, who happily was not at the theatre nor in the city, having left the city that day. Who doubts that Booth having ascertained in the course of the day that General Grant would not be present at the theatre, O'Laughlin, who was to murder General Grant, instead of entering the box with Booth was detailed to lie in wait, and watch and support him?

His declarations of his reasons for changing his lodgings here and in Baltimore, after the murder, so ably and so ingeniously presented in the argument of his learned counsel [Mr. Cox], avail nothing before the blasting fact that he did change his lodgings, and declared "he knew nothing of the affair whatever." O'Laughlin, who lurked here, conspiring daily with Booth and Arnold for six weeks to do this murder, declares "he knew nothing of the affair." O'Laughlin, who said he was "in the oil business," which Booth and Surratt, and Payne and Arnold, have

all declared meant this conspiracy, says he "knew nothing of the affair." O'Laughlin, to whom Booth sent the dispatches of the thirteenth and twenty-seventh of March — O'Laughlin, who is named in Arnold's letter as one of the conspirators; who searched for General Grant on Thursday night, and laid in wait for him on Friday; who was defeated by that Providence "which shapes our ends," and laid in wait to aid Booth and Payne, — this man declares "he knows nothing of the matter." Such a denial is as false and inexcusable as Peter's denial of our Lord.

Mrs. Surratt had arrived at home, from the completion of her part of the plot, about half-past eight o'clock in the evening. A few moments afterwards she was called to the parlor, and there had a private interview with some one unseen, but whose retreating footsteps were heard by the witness, Weichmann. This was doubtless the secret and last visit of John H. Surratt to his mother, who had instigated and encouraged him to strike his traitorous and murderous blow against his country.

While all these preparations were going on, Mudd was awaiting the execution of the plot, ready to faithfully perform his part in securing the safe escape of the murderers. Arnold was at his post at Fortress Monroe, awaiting the meeting referred to in his letter of March 27th, wherein he says they were not "to meet for a month or so," which month had more than expired on the day of the murder, for his letter and the testimony disclose that this month of suspension began to run from about the first week in March. He stood ready with the arms which Booth had furnished him to aid the escape of the murderers by that route, and secure their communication with their employers. He had given the assurance in that letter to Booth, that although the government "suspicioned them," and the undertaking was "becoming complicated," yet "a time more propitious would arrive" for the consummation of this conspiracy in which he "was one" with Booth, and when he would "be better prepared to again be with him."

Such were the preparations. The horses were in readiness for the flight; the ropes were procured, doubtless, for the purpose of tying the horses at whatever point they might be constrained to delay, and to secure their boats to their moorings in making their way across the Potomac. The five murderous camp knives, the two carbines, the eight revolvers, the Deringer, in court and identified, all were ready for the work of death.

The part that each had played has already been in part stated in this argument, and needs no repetition.

Booth proceeded to the theatre about nine o'clock in the evening, at the same time that Atzerodt, Payne, and Herold were riding the streets, while Surratt, having parted with his mother at the brief interview in her parlor, from which his retreating steps were heard, was walking the avenue, booted and spurred, and doubtless consulting with O'Laughlin. When Booth reached the rear of the theatre, he called Spangler to him (whose denial of that fact, when charged with it, as proven by three witnesses, is very significant), and received from Spangler his pledge to help him all he could, when with Booth he entered the theatre by the stage door, doubtless to see that the way was clear from the box to the rear door of the theatre, and look upon their victim, whose exact position they could study from the stage. After this view, Booth passes to the street in front of the theatre, where, on the pavement, with other conspirators yet unknown, among them one described as a low-browed villain, he awaits the appointed moment. Booth himself, impatient, enters the vestibule of the theatre from the front and asks the time. He is referred to the clock and returns. Presently, as the hour of ten approached, one of his guilty associates called the time; they wait; again, as the moments elapsed, this conspirator upon watch called the time; again, as the appointed hour draws nigh, he calls the time; and, finally, when the fatal moment arrives, he repeats in a louder tone, "Ten minutes past ten o'clock." Ten minutes past ten o'clock! The hour has come when the red right hand of these murderous conspirators should strike, and the dreadful deed of assassination be done.

Booth, at the appointed moment, entered the theatre, ascended to the dress circle, passed to the right, paused a moment, looking down, doubtless to see if Spangler is at his post, and approached the outer door of the close passage leading to the box occupied by the President, pressed it open, passed in, and closed the passage door behind him. Spangler's bar was in its place, and was readily adjusted by Booth in the mortise, and pressed against the inner side of the door, so that he was secure from interruption from without. He passes on to the next door, immediately behind the President, and there stopping, looks through the aperture in the door into the President's box and deliberately observes the precise position of his victim, seated in the chair which had

been prepared by the conspirators as the altar for the sacrifice, looking calmly and quietly down upon the glad and grateful people whom, by his fidelity, he had saved from the peril which had threatened the destruction of their government, and all they held dear this side of the grave — whom he had come upon invitation to greet with his presence, with the words still lingering upon his lips which he had uttered with uncovered head and uplifted hand before God and his country, when on the fourth of last March he took again the oath to preserve, protect, and defend the Constitution, declaring that he entered upon the duties of his great office "with malice toward none, with charity for all." In a moment more, strengthened by the knowledge that his co-conspirators were all at their posts, seven at least of them present in the city, two of them, Mudd and Arnold, at their appointed places, watching for his coming, this hired assassin moves stealthily through the door, the fastenings of which had been removed to facilitate his entrance, fires upon his victim, and the martyr spirit of Abraham Lincoln ascends to God.

> "Treason has done his worst; nor steel nor poison,
> Malice domestic, foreign levy, nothing
> Can touch him further."

At the same hour when these accused and their co-conspirators in Richmond and Canada, by the hand of John Wilkes Booth, inflicted this mortal wound which deprived the Republic of its defender, and filled this land from ocean to ocean with a strange, great sorrow, Payne, a very demon in human form, with the words of falsehood upon his lips, that he was the bearer of a message from the physician of the venerable Secretary of State, sweeps by his servant, encounters his son, who protests that the assassin shall not disturb his father, prostrate on a bed of sickness, and receives for answer the assassin's blow from the revolver in his hand, repeated again and again; rushes into the room, is encountered by Major Seward, inflicts wound after wound upon him with his murderous knife; is encountered by Hansell and Robinson, each of whom he also wounds; springs upon the defenseless and feeble Secretary of State, stabs him first on one side of his throat, then on the other, again in the face, and is only prevented from literally hacking out his life by the persistence and courage of the attendant Robinson. He turns to flee; and his giant arm and murderous hand for a moment paralyzed

by the consciousness of guilt, he drops his weapons of death, one in the house, the other at the door, where they were taken up, and are here now to bear witness against him. He attempts escape on the horse which Booth and Mudd had procured of Gardner — with what success has already been stated. . . .

If this conspiracy was thus entered into by the accused; if John Wilkes Booth did kill and murder Abraham Lincoln in pursuance thereof; if Lewis Payne did, in pursuance of said conspiracy, assault, with intent to kill and murder, William H. Seward, as stated, and if the several parties accused did commit the several acts alleged against them, in the prosecution of the said conspiracy, then it is the law that all the parties to that conspiracy, whether present at the time of its execution or not, whether on trial before this court or not, are alike guilty of the several acts done by each in the execution of the common design. What these conspirators did in the execution of this conspiracy by the hand of one of their co-conspirators they did themselves; his act, done in the prosecution of the common design, was the act of all the parties to the treasonable combination, because done in execution and furtherance of their guilty and treasonable agreement.

As we have seen, this is the rule, whether all the conspirators are indicted or not, whether they are all on trial or not. "It is not material what the nature of the indictment is, provided the offense involve a conspiracy. Upon indictment for murder, for instance, if it appear that others, together with the prisoner, conspired to perpetrate the crime, the act of one, done in pursuance of that intention, would be evidence against the rest." (1 Wharton, 706.) To the same effect are the words of Chief-Justice Marshall, before cited, that whoever leagued in a general conspiracy, performed any part, however minute, or however remote, from the scene of action, are guilty as principals. In this treasonable conspiracy to aid the existing armed rebellion by murdering the executive officers of the United States and the commander of the armies, all the parties to it must be held as principals, and the act of one in the prosecution of the common design the act of all.

I leave the decision of this dread issue with the court, to which alone it belongs. It is for you to say, upon your oaths, whether the accused are guilty.

I am not conscious that in this argument I have made any erroneous statement of the evidence, or drawn any erroneous

conclusions; yet I pray the court, out of tender regard and jealous care for the rights of the accused, to see that no error of mine, if any there be, shall work them harm. The past services of the members of this honorable court give assurance that without fear, favor, or affection, they will discharge with fidelity the duty enjoined upon them by their oaths. Whatever else may befall, I trust in God that in this, as in every other American court, the rights of the whole people will be respected, and that the Republic in this its supreme hour of trial will be true to itself and just to all, ready to protect the rights of the humblest, to redress every wrong, to avenge every crime, to vindicate the majesty of law, and to maintain inviolate the Constitution, whether assailed secretly or openly, by hosts armed with gold or armed with steel.

BISMARCK

(1815–1898)

N DELIVERING his great speech on the Army Bill (February 1888) which, in the opinion of his enemies, was the most powerful reactionary utterance of the second half of the century, Bismarck showed himself a consummate master of that art which conceals itself so thoroughly that it requires a laborious collection of evidence to demonstrate its existence. He did not care at all to be considered an orator. His whole mind was centred on carrying his point. In this he succeeded so well on that occasion, and on almost every other, that though he probably made more public speeches and carried more points than any other man in Germany during his day, he is seldom thought of as an eloquent man or as an orator and is rarely classed among the great speakers of his country. In delivering his speech on the Army Bill, he talked to the German Reichstag in what was apparently a bluff, off-hand, jovial style, very much as if he were talking to half a dozen companions around a table over beer and pipes. Now, he stopped to jest with the opposition, now he grew confidential as if he were revealing State secrets to trusted friends, now he appealed as a German to Germans in behalf of the Fatherland, now he spoke for the sacred interests of peace and philanthropy — always with the easy, assured assumption that every one must agree with him as a matter of course without the necessity for anything more than this conversational style of putting things among friends.

His mastery of German is phenomenal. Though his language is simplicity itself, his sentences grow on him until no one of less mental power could have emerged from their labyrinths. He does emerge, however, and that so easily and naturally that their involved nature only becomes remarkable when the attempt is made to transfer his thought to another language.

Bismarck (Otto Edward Leopold, Prince von Bismarck-Schönhausen), was born April 1st, 1815, and died July 30th, 1898. He was the greatest "Conservative" of his age and one of the greatest of any age. Among the public men with whom he was matched in Europe only Gladstone equaled him in intellect and, lacking his intense force of prejudice, Gladstone himself was never anything like his equal in effectiveness. To Bismarck more than to any other one

man, probably more than to any other ten men, was due the gradual but sure growth of the feeling which at his death had turned Europe into an "armed camp." When he first entered politics, as a representative of the extreme royalists of the German land-holding nobility in their opposition to the parliamentary movement of 1848–49, he showed the same tendencies which appear in his speech on the Army Bill of 1888. He was disturbed by the evident tendency of the world to grow into cities, which he regarded as hotbeds of treason and disorder. To check this he believed "blood and iron" were necessary in both domestic and foreign politics. This and his intense devotion to the royal family of Prussia are the mainsprings of his politics. He opposed the "United Germany," proposed by the Frankfort Parliament of 1849, because he thought it gave too much recognition to the people at the expense of the crown. He fought for royal prerogative at every point in the history of Germany until the empire was established at Versailles after France had submitted on terms he had dictated. In 1884 he achieved his greatest triumph against the "Liberals" of Germany by committing the empire to the colonial policy, which it has since pursued in antagonism to England. His quarrel with the present emperor which resulted in his retirement from court did not retire him from the public affairs of Germany and, up to the time of his death, he remained one of the greatest individual forces in the politics of Europe.

His speech on the Army Bill, here given as an illustration of his oratory, was translated for this work from the Stuttgart edition of his speeches published by authority in 1894.

A PLEA FOR IMPERIAL ARMAMENT

(Delivered in the Reichstag, February 6th, 1888)

If I rise to speak to-day it is not to urge on your acceptance the measure the President has mentioned (the army appropriation). I do not feel anxious about its adoption, and I do not believe that I can do anything to increase the majority by which it will be adopted — by which it is all-important at home and abroad that it should be adopted. Gentlemen of all parties have made up their minds how they will vote and I have the fullest confidence in the German Reichstag that it will restore our armament to the height from which we reduced it in the period between 1867 and 1882; and this not with respect to the conditions of the moment, not with regard to the apprehensions which may excite the stock exchanges and the mind of the public; but with

a considerate regard for the general condition of Europe. In speaking, I will have more to say of this than of the immediate question.

I do not speak willingly, for under existing conditions a word unfortunately spoken may be ruinous, and the multiplication of words can do little to explain the situation, either to our own people or to foreigners. I speak unwillingly, but I fear that if I kept silent there would be an increase rather than a diminution of the expectations which have attached themselves to this debate, of unrest in the public mind, of the disposition to nervousness at home and abroad. The public might believe the question to be so difficult and critical that a minister for foreign affairs would not dare to touch upon it. I speak, therefore, but I can say truly that I speak with reluctance. I might limit myself to recalling expressions to which I gave utterance from this same place a year and a day ago. Little change has taken place in the situation since then. I chanced to-day on a clipping from the Liberal Gazette, a paper which I believe stands nearer to my friend, Representative Richter, than it does to me. It pictures one difficult situation to elucidate another, but I can take only general notice of the main points there touched on, with the explanation that if the situation has since altered, it is for the better rather than for the worse.

We had then our chief apprehension because of a war which might come to us from France. Since then, one peace-loving President has retired from administration in France, and another peace-loving President has succeeded him. It is certainly a favorable symptom that in choosing its new chief executive France has not put its hand into Pandora's box, but that we have assurance of a continuation under President Carnot of the peaceful policy represented by President Grévy. We have, moreover, other changes in the French administration whose peaceful significance is even stronger than that of the change in the presidency — an event which involved other causes. Such members of the ministry as were disposed to subordinate the peace of France and of Europe to their personal interests have been shoved out, and others, of whom we have not this to fear, have taken their places. I think I can state, also — and I do it with pleasure, because I do not wish to excite but to calm the public mind — that our relations with France are more peaceful, much less explosive than a year ago.

The fears which have been excited during the year have been occasioned more by Russia than by France, or I may say that the occasion was rather the exchange of mutual threats, excitement, reproaches, and provocations which have taken place during the summer between the Russian and the French press. But I do not believe that the situation in Russia is materially different now from what it was a year ago. The Liberal Gazette has printed in display type what I said then:—"Our friendship with Russia sustained no interruption during our war and it is elevated above all doubt to-day. We expect neither assault nor attack nor unfriendliness from Russia." Perhaps this was printed in large letters to make it easier to attack it. Perhaps also with the hope that I had reached a different conclusion in the meantime and had become convinced that my confidence in the Russian policy of last year was erroneous. This is not the case. The grounds which gave occasion for it lie partly in the Russian press and partly in the mobilization of Russian troops. I cannot attach decided importance to the attitude of the press. They say that it means more in Russia than it does in France. I am of the contrary opinion. In France the press is a power which influences the conclusions of the administration. It is not such a power in Russia, nor can it be; but in both cases the press is only spots of printer's ink on paper against which we have no war to wage. There can be no ground of provocation for us in it. Behind each article is only one man—the man who has guided the pen to send the article into the world. Even in a Russian paper, we may say in an independent Russian paper, secretly supported by French subsidies, the case is not altered. The pen which has written in such a paper an article hostile to Germany has no one behind it but the man whose hand held the pen, the man who in his cabinet produced the lucubration and the protector which every Russian newspaper is wont to have—that is to say the official more or less important in Russian party politics who gives such a paper his protection. But both of them do not weigh a feather against the authority of his Majesty, the Czar of Russia. . . .

Since the great war of 1870 was concluded, has there been any year, I ask you, without its alarm of war? Just as we were returning, at the beginning of the seventies, they said: When will we have the next war? When will the Revanche be fought? In five years at latest. They said to us then: "The question of

whether we will have war and of the success with which we shall have it (it was a representative of the Centre who upbraided me with it in the Reichstag) depends to-day only on Russia. Russia alone has the decision in her hands."

Perhaps I will return to this question later. In the meantime, I will continue the pictures of these forty years and recall that in 1876 a war-cloud gathered in the South; that in 1877, the Balkan War was only prevented by the Berlin Congress from putting the whole of Europe in a blaze, and that quite suddenly after the Congress a new vision of danger was disclosed to us in the East because Russia was offended by our action at the conference. Perhaps, later on, I will recur to this also if my strength will permit.

Then followed a certain reaction in the intimate relations of the three emperors which allowed us to look for some time into the future with more assurance; yet on the first signs of uncertainty in their relations, or because of the lapsing of the agreements they had made with each other, our public opinion showed the same nervous and, I think, exaggerated excitement with which we had to contend last year — which, at the present time, I hold to be specially uncalled for. But because I think this nervousness uncalled for now, I am far from concluding that we do not need an increase of our war-footing. On the contrary! Therefore, I have unrolled before you this tableau of forty years — perhaps not to your amusement! If not, I beg your pardon, but had I omitted a year from that which you yourselves had experienced with shuddering, the impression might have been lost that the state of anxiety before wars, before continually extending complications, the entanglements of which no one can anticipate,— that this condition is permanent with us; that we must reckon upon it as a permanency; and that independently of the circumstances of the moment, with the self-confidence of a great nation which is strong enough under any circumstances to take its fate into its own hands against any coalition; with the confidence in itself and in God which its own power and the righteousness of its cause, a righteousness which the care of the government will always keep with Germany — that we shall be able to foresee every possibility and, doing so, to look forward to peace.

The long and the short of it is that in these days we must be as strong as we can; and if we will, we can be stronger than

any other country of equal resources in the world. I will return to that. And it would be a crime not to use our resources. If we do not need an army prepared for war, we do not need to call for it. It depends merely on the not very important question of the cost — and it is not very important, though I mention it incidentally. I have no mind to go into figures, financial or military, but France during the last few years has spent in improving her forces three thousand millions, while we have spent hardly fifteen hundred millions including that we are now asking for. But I leave the ministers of war and of finance to deal with that. When I say that we must strive continually to be ready for all emergencies, I advance the proposition that, on account of our geographical position, we must make greater efforts than other powers would be obliged to make in view of the same ends. We lie in the middle of Europe. We have at least three fronts on which we can be attacked. France has only an eastern boundary; Russia only its western, exposed to assault. We are, moreover, more exposed than any other people to the danger of hostile coalition because of our geographical position, and because, perhaps, of the feeble power of cohesion which, until now, the German people has exhibited when compared with others. At any rate, God has placed us in a position where our neighbors will prevent us from falling into a condition of sloth — of wallowing in the mire of mere existence. On one side of us he has set the French, a most warlike and restless nation; and he has allowed to become exaggerated in the Russians fighting tendencies which had not become apparent in them during the earlier part of the century. So we are spurred forward on both sides to endeavors which perhaps we would not make otherwise. The pikes in the European carp-pond will not allow us to become carp, because they make us feel their stings in both our sides. They force us to an effort which, perhaps, we would not make otherwise, and they force us also to a cohesion among ourselves as Germans which is opposed to our innermost nature; otherwise we would prefer to struggle with each other. But when we are enfiladed by the press of France and Russia, it compels us to stand together, and through such compression it will so increase our fitness for cohesion that we may finally come into the same condition of indivisibility which is natural to other people — which thus far we have lacked. We must respond to this dispensation of Providence, however, by making ourselves so

strong that the pike can do nothing more than encourage us to exert ourselves. We had, years ago, in the times of the Holy Alliance (I recall an old American song which I learned from my dead friend, Motley:—

In good old colonial times
When we lived under a king!)

We had then patriarchal times and with them a multitude of balustrades on which we could support ourselves, and a multitude of dykes to protect us from the wild European floods. That was the German confederation, and the true beginning, and continuance, and conclusion of the German confederation was the Holy Alliance, for whose service it was made. We depended on Russia and Austria, and, above everything, we relied on our own modesty, which did not allow us to speak before the rest of the company had spoken. We have lost all that, and we must help ourselves. The Holy Alliance was shipwrecked in the Crimean War—through no fault of ours! The German confederation has been destroyed by us because our existence under it was neither tolerable for us nor for the German people. Both have ceased to exist. After the dissolution of the German confederation, after the war of 1866, we would have been obliged to reckon on isolation for Prussia or North Germany, had we been obliged to stop at reckoning with the fact that, on no side would they forgive us the new and great successes which we had obtained. Never do other powers look with pleasure on the triumphs of a neighbor.

Our connection with Russia was not disturbed, however, by the events of 1866. In 1866 the memory of the politics of Count von Buol and of Austrian politics during the Crimean War was too fresh in Russia to allow them to think of supporting the Austrian against the Prussian monarchy, or of renewing the campaign which Czar Nicholas had conducted for Austria in 1849. For us, therefore, there remained a natural inclination towards Russia, which, foreseen in the last century, had in this its recognized origin in the politics of Czar Alexander I. To him Prussia owes thanks indeed. In 1813 he could easily have turned on the Polish frontiers and concluded peace. Later he could have brought about the fall of Prussia. We have then, as a fact, to thank, for the restoration of the old footing, the good will of Czar Alexander I.; or, if you are inclined to be skeptical, say to the need felt in Russian politics for Prussia. This feeling of

gratitude has controlled the administration of Frederick William the Third.

The balance which Russia had on its account with Prussia was used up through the friendship, I may say through the serviceability of Prussia during the entire reign of Czar Nicholas and, I may add, settled at Olmutz. At Olmutz, Czar Nicholas did not take the part of Prussia, did not shield us from adverse experience, did not guard us against humiliation; for, on the whole, he leaned towards Austria more than towards Prussia. The idea that during his administration we owed thanks to Russia results from a historical legend. But while Czar Nicholas lived, we, on our side, did not violate the tradition with Russia. During the Crimean War, as I have already told you, we stood by Russia in spite of threats and of some hazard. His Majesty, the late King, had no desire to play a decided part in the war with a strong army, as I think he could easily have done. We had concluded treaties by which we were bound to put a hundred thousand men in the field by a set time. I advised his Majesty that we should put not a hundred thousand but two hundred thousand in the field and to put them there *à cheval* so that we could use them right and left; so that his Majesty would have been the final arbiter of the fortunes of the Crimean War. But his late Majesty was not inclined to warlike undertakings, and the people ought to be grateful to him for it. I was younger and less experienced then than I am now. We bore no malice for Olmutz, however, during the Crimean War. We came out of the Crimean War as a friend of Russia, and while I was ambassador to Russia I enjoyed the fruit of this friendship in a very favorable reception at court and in Russian society. Our attitude towards Austria in the Italian War was not to the taste of the Russian cabinet, but it had no unfavorable consequences. Our Austrian War of 1866 was looked upon with a certain satisfaction. No one in Russia then grudged Austria what she got. In the year 1870 we had, in taking our stand and making our defense, the satisfaction of coincidently rendering a service to our Russian friends in the Black Sea. The opening of the Black Sea by the contracting powers would never have been probable if the Germans had not been victorious in the neighborhood of Paris. Had we been defeated, for example, I think the conclusion of the London agreement would not have been so easily in Russia's favor. So the war of 1870 left no ill humor between us and Russia. . . .

The bill will bring us an increase of troops capable of bearing arms — a possible increase, which if we do not need it, we need not call out, but can leave the men at home. But we will have it ready for service if we have arms for it. And that is a matter of primary importance. I remember the carbine which was furnished by England to our Landwehr in 1813, and with which I had some practice as a huntsman — that was no weapon for a soldier! We can get arms suddenly for an emergency, but if we have them ready for it, then this bill will count for a strengthening of our peace forces and a reinforcement of the peace league as great as if a fourth great power had joined the alliance with an army of seven hundred thousand men — the greatest yet put in the field.

I think, too, that this powerful reinforcement of the army will have a quieting effect on our own people, and will in some measure relieve the nervousness of our exchanges, of our press, and of our public opinion. I hope they all will be comforted if they make it clear to themselves that after this reinforcement and from the moment of the signature and publication of the bill, the soldiers are there! But arms are necessary, and we must provide better ones if we wish to have an army of triarians — of the best manhood that we have among our people; of fathers of family over thirty years old! And we must give them the best arms that can be had! We must not send them into battle with what we have not thought good enough for our young troops of the line. But our steadfast men, our fathers of family, our Samsons, such as we remember seeing hold the bridge at Versailles, must have the best arms on their shoulders, and the best clothing to protect them against the weather, which can be had from anywhere. We must not be niggardly in this. And I hope it will reassure our countrymen if they think now it will be the case — as I do not believe — that we are likely to be attacked on both sides at once. There is a possibility of it, for, as I have explained to you in the history of the Forty Years' War, all manner of coalitions may occur. But if it should occur we could hold the defensive on our borders with a million good soldiers. At the same time, we could hold in reserve a half million or more, almost a million, indeed; and send them forward as they were needed. Some one has said to me: "The only result of that will be that the others will increase their forces also." But they cannot. They have long ago reached the maximum. We

lowered it in 1867 because we thought that, having the North-German confederation, we could make ourselves easier and exempt men over thirty-two. In consequence our neighbors have adopted a longer term of service — many of them a twenty-year term. They have a maximum as high as ours, but they cannot touch us in quality. Courage is equal in all civilized nations. The Russians or the French acquit themselves as bravely as the Germans. But our people, our seven hundred thousand men, are veterans trained in service, tried soldiers who have not yet forgotten their training. And no people in the world can touch us in this, that we have the material for officers and under-officers to command this army. That is what they cannot imitate. The whole tendency of popular education leads to that in Germany as it does in no other country. The measure of education necessary to fit an officer or under-officer to meet the demands which the soldier makes on him, exists with us to a much greater extent than with any other people. We have more material for officers and under-officers than any other country, and we have a corps of officers that no other country can approach. In this and in the excellence of our corps of under-officers, who are really the pupils of our officers' corps, lies our superiority. The course of education which fits an officer to meet the strong demands made on his position for self-denial, for the duty of comradeship, and for fulfilling the extraordinarily difficult social duties whose fulfillment is made necessary among us by the comradeship which, thank God, exists in the highest degree among officers and men without the least detriment to discipline — they cannot imitate us in that — that relationship between officers and men which, with a few unfortunate exceptions, exists in the German army. But the exceptions confirm the rule, and so we can say that no German officer leaves his soldiers under fire, but brings them out even at the risk of his own life; while, on the other hand, no German soldier, as we know by experience, forsakes his officer.

If other armies intend to supply with officers and sub-officers as many troops as we intend to have at once, then they must educate the officers, for no untaught fool is fit to command a company, and much less is he fit to fulfill the difficult duties which an officer owes to his men, if he is to keep their love and respect. The measure of education which is demanded for that, and the qualities which, among us especially, are expressed in comradeship and sympathy by the officer,— *that* no rule and no

regulation in the world can impress on the officers of other countries. In *that* we are superior to all, and in that they cannot imitate us! On that point I have no fear.

But there is still another advantage to be derived from the adoption of this bill: The very strength for which we strive shows our peaceful disposition. That sounds paradoxical, but still it is true.

No man would attack us when we have such a powerful war-machine as we wish to make the German army. If I were to come before you to-day and say to you — supposing me to be convinced that the conditions are different from what they are — if I were to say to you: "We are strongly threatened by France and Russia; it is evident that we will be attacked; my conviction as a diplomat, considering the military necessities of the case, is that it is expedient for us to take the defensive by striking the first blow, as we are now in a position to do; an aggressive war is to our advantage, and I beg the Reichstag for a milliard or half a milliard to begin it at once against both our neighbors" — indeed, gentlemen, I do not know that you would have sufficient confidence in me to consent! I hope you would not.

But if you were to do it, it would not satisfy me. If we in Germany should wish to wage war with the full exertion of our national strength, it must be a war with which all who engage in it, all who offer themselves as sacrifices in it — in short, the whole nation takes part as one man; it must be a people's war; it must be a war carried on with the enthusiasm of 1870, when we were ruthlessly attacked. I well remember the ear-splitting, joyful shouts at the Cologne railway station; it was the same from Berlin to Cologne; and it was the same here in Berlin. The waves of public feeling in favor of war swept us into it whether we wished or not. It must always be so if the power of a people such as ours is to be exerted to the full. It will be very difficult, however, to make it clear to the provinces and states of the confederation and to their peoples, that war is now unavoidably necessary. They would ask: "Are you sure of that? Who knows?" In short, when we came to actual hostilities, the weight of such imponderable considerations would be much heavier against us than the material opposition we would meet from our enemies. "Holy Russia" would be irritated; France would bristle with bayonets as far as the Pyrenees. It would be

the same everywhere. A war which was not decreed by the popular will could be carried on if once the constituted authorities had finally decided on it as a necessity; it would be carried on vigorously, and perhaps successfully, after the first fire and the sight of blood. But it would not be a finish fight in its spirit with such fire and *élan* behind it as we would have in a war in which we were attacked. Then all Germany from Memel to Lake Constance would flame out like a powder mine; the country would bristle with arms, and no enemy would be rash enough to join issues with the *furor Teutonicus* (Berserker madness) thus roused by attack.

We must not lose sight of such considerations, even if we are now superior to our future opponents, as many military critics besides our own consider us to be. All our own critics are convinced of our superiority. Naturally every soldier believes it. He would come very near to being a failure as a soldier if he did not wish for war and feel full assurance of victory. If our rivals sometimes suspect that it is fear of the result which makes us peaceful, they are grievously in error. We believe as thoroughly in the certainty of our victory in a righteous cause as any lieutenant in a foreign garrison can believe in his third glass of champagne — and perhaps we have more ground for our assurance! It is not fear which makes us peaceable, but the consciousness of our strength — the consciousness that if we were attacked at the most unfavorable time, we are strong enough for defense and for keeping in view the possibility of leaving it to the providence of God to remove in the meantime the necessity for war.

I am never for an offensive war, and if war can come only through our initiative, it will not begin. Fire must be kindled by some one before it can burn, and we will not kindle it. Neither the consciousness of our strength, as I have just represented it, nor the trust in our alliances will prevent us from continuing with our accustomed zeal our accustomed efforts to keep the peace. We will not allow ourselves to be led by bad temper; we will not yield to prejudice. It is undoubtedly true that the threats, the insults, the provocations which have been directed against us, have aroused great and natural animosities on our side. And it is hard to rouse such feelings in the Germans, for they are less sensitive to the dislike of others towards them than any other nation. We are taking pains, however, to

soften these animosities, and in the future as in the past we will strive to keep the peace with our neighbors — especially with Russia. When I say "especially with Russia," I mean that France offers us no security for the success of our efforts, though I will not say that it does not help. We will never seek occasion to quarrel. We will never attack France. In the many small occasions for trouble which the disposition of our neighbors to spy and to bribe has given us, we have made pleasant and amicable settlements. I would hold it grossly criminal to allow such trifles either to occasion a great national war or to make it probable. There are occasions when it is true that the "more reasonable gives way." I name Russia especially, and I have the same confidence in the result I had a year ago when my expression gave this "Liberal" paper here occasion for black type. But I have it without running after — or, as a German paper expressed it, "grovelling before Russia." That time has gone by. We no longer sue for favor either in France or in Russia. The Russian press and Russian public opinion have shown the door to an old, powerful, and attached friend as we were. We will not force ourselves upon them. We have sought to regain the old confidential relationship, but we will run after no one. But that does not prevent us from observing — it rather spurs us on to observe with redoubled care — the treaty rights of Russia. Among these treaty rights are some which are not conceded by all our friends: I mean the rights which at the Berlin Congress Russia won in the matter of Bulgaria. . . .

In consequence of the resolution of the Congress, Russia, up to 1885, chose as prince a near relative of the Czar concerning whom no one asserted or could assert that he was anything else than a Russian dependent. It appointed the minister of war and a greater part of the officials. In short, it governed Bulgaria. There is no possible doubt of it. The Bulgarians, or a part of them, or their prince,— I do not know which,— were not satisfied. There was a *coup d'état* and there has been a defection from Russia. This has created a situation which we have no call to change by force of arms — though its existence does not change theoretically the rights which Russia gained from the conference. But if Russia should seek to establish its rights forcibly I do not know what difficulties might arise and it does not concern us to know. We will not support forcible measures and will not advise them. I do not believe there is any disposition towards them. I

am sure no such inclination exists. But if through diplomatic means, through the intervention of the Sultan as the suzerain of Bulgaria, Russia seeks its rights, then I assume that it is the province of loyal German statesmanship to give an unmistakable support to the provisions of the Berlin Treaty, and to stand by the interpretation which without exception we gave it — an interpretation on which the voice of the Bulgarians cannot make me err. Bulgaria, the Statelet between the Danube and the Balkans, is certainly not of sufficient importance to justify plunging Europe into war from Moscow to the Pyrenees, from the North Sea to Palermo — a war the issue of which no one could foresee, at the end of which no one could tell what the fighting had been about.

So I can say openly that the position of the Russian press, the unfriendliness we have experienced from Russian public opinion, will not prevent us from supporting Russia in a diplomatic attempt to establish its rights as soon as it makes up its mind to assert them in Bulgaria. I say deliberately — "As soon as Russia expresses the wish." We have put ourselves to some trouble heretofore to meet the views of Russia on the strength of reliable hints, but we have lived to see the Russian press attacking, as hostile to Russia, the very things in German politics which were prompted by a desire to anticipate Russia's wishes. We did that at the Congress, but it will not happen again. If Russia officially asks us to support measures for the restoration in Bulgaria of the situation approved by the Congress with the Sultan as suzerain, I would not hesitate to advise his Majesty, the Emperor, that it should be done. This is the demand which the treaties make on our loyalty to a neighbor, with whom, be the mood what it will, we have to maintain neighborly relations and defend great common interests of monarchy, such as the interests of order against its antagonists in all Europe, with a neighbor, I say, whose sovereign has a perfect understanding in this regard with the allied sovereigns. I do not doubt that when the Czar of Russia finds that the interests of his great empire of a hundred million people requires war, he will make war. But his interests cannot possibly prompt him to make war against us. I do not think it at all probable that such a question of interest is likely to present itself. I do not believe that a disturbance of the peace is imminent — if I may recapitulate — and I beg that you will consider the pending measure without regard to that thought or that apprehension, looking on it rather as a

full restoration of the mighty power which God has created in the German people — a power to be used if we need it! If we do not need it, we will not use it and we will seek to avoid the necessity for its use. This attempt is made somewhat more difficult by threatening articles in foreign newspapers and I may give special admonition to the outside world against the continuance of such articles. They lead to nothing. The threats made against us, not by the government but in the newspapers, are incredibly stupid, when it is remembered that they assume that a great and proud power such as the German Empire is capable of being intimidated by an array of black spots made by a printer on paper, a mere marshalling of words. If they would give up that idea, we could reach a better understanding with both our neighbors. Every country is finally answerable for the wanton mischief done by its newspapers, and the reckoning is liable to be presented some day in the shape of a final decision from some other country. We can be bribed very easily — perhaps too easily — with love and good-will. But with threats, never!

We Germans fear God, and nothing else in the world!

It is the fear of God which makes us love peace and keep it. He who breaks it against us ruthlessly will learn the meaning of the warlike love of the Fatherland which in 1813 rallied to the standard the entire population of the then small and weak kingdom of Prussia; he will learn, too, that this patriotism is now the common property of the entire German nation, so that whoever attacks Germany will find it unified in arms, every warrior having in his heart the steadfast faith that God will be with us.

JEREMIAH SULLIVAN BLACK

(1810–1883)

JEREMIAH SULLIVAN BLACK was born January 10th, 1810, in Somerset County, Pennsylvania. In the public affairs of the United States before and after the Civil War, from the time he entered politics as a supporter of Andrew Jackson until his death in August 1883, he stood for one of the great forces of minority opinion, seldom strong enough to control by mere weight of its impact, but always liable to assert itself in every great emergency as a controlling balance of power. When attacked by his last illness he was writing a reply to Jefferson Davis, suggested by a somewhat heated attack made upon him by Mr. Davis, because while declaring that "the States have rights carefully reserved and as sacred as the life, liberty, and property of the private citizen," he held Andrew Jackson's view of secession. If this closing incident of his career is kept in mind and brought to bear on his grim jest that "next to the original Fall of Man the landing of the Mayflower was the greatest misfortune that ever happened to the human race," the illustration will give a better idea than could be given by any definition of his attitude during the Civil War and Reconstruction periods. Judge Black served on the supreme bench of Pennsylvania and in the cabinet of President Buchanan, but his great influence was never an incident of official prominence. As a man and as a lawyer he showed an individuality so marked, and in certain ways so representative, that men of all parties listened to him with an attention they seldom give the official utterance of any public man. When, in 1883, he went before the judiciary committee of the Pennsylvania senate and delivered an address on the State's power of eminent domain, and on the duties of corporations as public servants, the effect was felt throughout the country. It is doubtful if any other speech on a technical question of law and industrial economy ever produced effects so profound and so far-reaching. It is believed that the forces set in motion by sympathy with Judge Black's views thus expressed decided more than one presidential election and did more than anything else to make possible the radical changes which took place in the politics of the Northwestern States between 1883 and 1892.

CORPORATIONS UNDER EMINENT DOMAIN

(Delivered before the Judiciary Committee of the Pennsylvania Senate, at the Session of 1883)

Mr. Chairman:—

THE irrepressible conflict between the rights of the people and the interests of railroad corporations does not seem likely to terminate immediately. I beg your permission to put our case on your record somewhat more distinctly than heretofore.

Why do I give myself this trouble? My great and good friend, the President of the Reading Railroad Company, expresses the suspicion that I am quietly acting in the interest of some anonymous corporation. I wish to contradict that as flatly as I can.

The charge that I am communist enough to wish the destruction of all corporate property is equally untrue. I think myself the most conservative of citizens. I believe with my whole heart in the rights of life, liberty, and property, and if anybody has struggled more faithfully, through good report and evil, to maintain them inviolate, I do not know who he is. I respect the State constitution. Perhaps I am prejudiced in favor of natural justice and equality. I am convinced that without the enforcement of the fundamental law honest government cannot be expected.

These considerations, together with the request of many friends, would be sufficient reason for doing all the little I can to get "appropriate legislation." At all events, it is unfair to charge me with any motive of lucre or malice.

It is not proposed by those who think as I do that any corporation shall lose one atom of its property. A lawful contract between a railroad company and the State is inviolable, and must not be touched by hostile hands, however bad the bargain may have been for the people. Mr. Gowen and all others with similar contracts on their hands are entitled each to his pound of flesh, and if it be "so nominated in the bond" the Commonwealth must bare her bosom to all their knives and let them "cut nearest the heart."

But we, the people, have rights of property as well as the corporations, and ours are—or ought to be—as sacred as theirs. Between the great domain which we have ceded to them and that which still belongs to us the line is plainly and distinctly

marked, and if they cross it for purposes of plunder they should be driven back under the lash of the law. It is not the intent of the amended Constitution, nor the desire of those who demand its enforcement, to do them the slightest injury. We only ask for that impartial and just protection which the State, as *parens patriæ*, owes to us not less than to them.

In the first place, it will, I think, be admitted by all impartial persons of average intelligence, that the companies are not the owners of the railroads. The notion that they are is as silly as it is pernicious. It is the duty of every commercial, manufacturing, or agricultural State, to open thoroughfares of trade and travel through her territory. For that purpose she may take the property of citizens and pay for the work out of her own treasury. When it is done she may make it free to all comers, or she may reimburse the cost by levying a special tax upon those who use it; or she may get the road built and opened by a corporation or an individual, and pay for it by permitting the builder to collect tolls or taxes from those who carry and travel on it. Pennsylvania has tried all these methods with her turnpikes, canals, and railroads. Some have been made at her own cost and thrown open; on others made by herself she placed officers to collect a special tax; others have been built for her by contract, in which some natural or artificial person agreed to do the work for the privilege of appropriating the taxes which she authorized to be levied.

But in all these cases the proprietary right remained in the State and was held by her in trust for the use of the people. Those who run the railroads and canals are always public agents. It is impossible to look at them in any other light or to conceive how a different relation could exist, because a railroad which is not managed by public agents cannot be a public highway. The character of their appointment, even upon the same work, has differed materially. The Columbia Railroad and all the canals were for a time under the management of officers appointed by the governor, or elected by the people, and paid out of the State treasury. Afterwards the duty was devolved by the State upon the persons associated together under acts of incorporation, who contracted to perform it upon certain terms. The Erie and Northeast Railroad was at first run for the State by a company; the company was removed from its trust for misbehavior; the governor then took it and appointed an officer to

superintend the work; later the governor's appointee was displaced, with the consent of the legislature, and the duty was again confided to a corporation newly chartered.

None of these agents — neither the canal commissioner nor the State receiver, nor any corporation that went before or came after — had the slightest proprietary right or title to the railroads themselves. To say that they had would be as preposterous as to assert that township roads are the private property of the supervisors.

The legal relations existing between the State and the persons whom she authorizes to supervise her highways were somewhat elaborately discussed by the supreme court of Pennsylvania in the case of the Erie and N. E. R. R. Co. *versus* Casey. (2 Casey, pp. 307–24.) It was there determined that a railroad built by authority of the State for the general purposes of commerce is a public highway and in no sense private property; that a corporation authorized to run it is a servant of the State as much as an officer legally appointed to do any other public duty; as strictly confined by the laws and as liable to be removed for transgressing them.

All the judges concurred in this opinion. The two who dissented from the judgment did so on the technical ground that certain circumstances, which would have estopped the State in a judicial proceeding, disarmed the legislature of the power to repeal. Neither they nor any other judge in the country whose authority is worth a straw ever denied the doctrine for which I have here cited that case, though it may have been sometimes overlooked, ignored, or perchance evaded. This principle and no other was the basis of the decision in Pennsylvania and all the other States that cities and counties might issue bonds, or their money, and tax their people to aid in building railways. The Supreme Court of the United States has affirmed it in scores of cases. It was so universally acknowledged that the convention of 1873 incorporated it into the Constitution as a part of the fundamental law. I do not know upon what foundation more solid than this any great principle of jurisprudence was ever established in a free country. When in addition you consider the reason of the thing, and the supreme necessity of it for the purposes of common justice, it seems like a sin, a shame, a scandal to oppose it.

It being settled that the railroads and canals belong of right to the State for the use of the people, and that the corporations who have them in charge are mere agents to run them for the owners, it will surely not be denied that all proper regulations should be made to prevent those agents from betraying their trust. The wisdom is very plain of those provisions in our Constitution which put them on a level with other public servants and forbid them to prostitute their functions for purposes merely mercenary or to engage in any business which necessarily brings their private interests into conflict with their public duty. Seeing the vast magnitude of the affairs intrusted to them, and the terrible temptation to which their cupidity is exposed, it is certainly necessary that you should hold them to their responsibilities, and hold them hard.

But, on the other hand, the corporations deny that they owe any responsibility to the State more than individuals engaged in private business. They assert that the management of the railroads, being a mere speculation of their own, these thoroughfares of trade and travel must be run for their interests, without regard to public right. If they take advantage of their power to oppress the labor and overtax the land of the State; if they crush the industry of one man or place to build up the prosperity of another; if they plunder the rich by extortion, or deepen the distress of the poor by discriminating against them, they justify themselves by showing that all this was in the way of business; that their interest required them to do it; that if they had done otherwise their fortunes would not have been so great as they are; that it was the prudent, proper, and successful method of managing their own affairs. This is their universal answer to all complaints. Their protests against legislative intervention to protect the public always takes this shape, with more or less distinctness of outline. In whatever language they clothe their argument it is the same in substance as that with which Demetrius, the silversmith, defended the sanctity of the temple for which he made shrines: "Sirs, ye know that by this craft we have our wealth."

That railroad corporations and their paid adherents should take this view of the subject is perhaps not surprising, nor does it excite our special wonder to see them supported by the subsidiary rings whom they patronize; but it is amazing to find

that this odious and demoralizing theory has made a strong lodgment in the minds of disinterested, upright, and high-placed men. Two members of the Senate judiciary — I do not say they are the ablest, because comparisons are odious, but they are both of them among the foremost men of the country for talents and integrity — these gentlemen emphatically dissented from me when I asserted that the management of the railroads was not a matter of business to be conducted like a private enterprise merely for the profit of the directors or stockholders. A heresy so supported is entitled to serious refutation, however absurd it may seem on its face.

I aver that a man or corporation appointed to do a public duty must perform it with an eye single to the public interest. If he perverts his authority to purposes of private gain he is guilty of corruption, and all who aid and abet him are his accomplices in crime. He defiles himself if he mingles his own business with that intrusted to him by the government and uses one to promote the other. If a judge excuse himself for a false decision by saying that he sold his judgment for the highest price he could get, you cover his character with infamy. A ministerial officer, like a sheriff, for instance, who extorts from a defendant, or even from a convict in his custody, what the law does not allow him to collect, and puts the surplus in his pocket, is a knave upon whom you have no mercy. You send county commissioners to the penitentiary for consulting their own financial advantage to the injury of the general weal. When the officers of a city corporation make a business of running it to enrich themselves, at the expense of the public, you can see at a glance that they are the basest of criminals. Why, then, can you not see that the officers of a railway corporation are equally guilty when they pervert the authority with which they are clothed to purposes purely selfish? A railroad corporation is a part of the civil government as much as a city corporation. The officers of the former, as much as the latter, are agents and trustees of the public, and the public has an interest precisely similar in the fidelity of both. Why, then, should partiality or extortion be condemned as criminal in one if it be tolerated as fair business when practiced by the other? Yet there are virtuous and disinterested statesmen among us, who think that faithful service ought not to be enforced against the railroad companies, however loudly it may be claimed by the body of the people as their just

due, and no matter how distinctly it may be commanded by the Constitution itself.

I am able to maintain that all the corruption and misgovernment with which the earth is cursed grows out of this fatal proclivity of public servants to make a business of their duty. Recall the worst cases that have occurred in our history and see if every one of them does not finally resolve itself into that. Tweed and his associates, the Philadelphia rings, the carpet-bag thieves, the Star Route conspirators, all went into business for themselves while pretending to be engaged in the public service. Oakes Ames distributed the stock of the Credit Mobilier where he thought it would "do the most good" to himself and others with whom he was connected, and that was the business in him who gave and in them that took his bribes. Madison Wells, when he proposed to Mr. Kenner that he would make a true return of the election if he could be assured of getting "two hundred thousand dollars apiece for himself and Jim Anderson, and a less sum for the niggers," had as keen an eye to business as if he had been president of a railroad company instead of a returning board. Certain greedy adventurers made it a business to rob the nation of its lands, and, uniting with Congress, carried it on so magnificently, that they got away with an area nearly equal to nine States as large as Pennsylvania. The imposition of the whisky tax, excluding what was held on speculation, was business to the officers and legislators who were sharp enough to anticipate their own votes. You will see on reflection that every base combination which officers have made with one another or with outside parties has been a business arrangement, precisely like that which the railroads justify on the sole ground that it is business. The effect is not only to corrupt those who engage in such transactions, but to demoralize all who are tempted by personal and party attachments to apologize for it.

When the officers of the Pennsylvania Railroad Company corruptly bought the remission of the tonnage tax, and thereby transferred to their own pockets an incalculable sum justly due to the State, it was business, rich to them and profitable beyond the dreams of avarice, while to the swindled taxpayers it was proportionately disastrous. The nine million steal of later date was a business enterprise which failed, because Governor Geary most unexpectedly put his veto upon it. Still more recently the same organization undertook to get from the treasury of the

State four millions of dollars to which it had no decent pretense of a claim. Never was any affair conducted in a more business-like way. The appointed agents of the corporation came to Harrisburg when the legislature was in session and regularly set up a shop for the purchase of members at prearranged and specified prices. You condemn this piece of business because it was dishonest, but was it more dishonest than that which the same corporation habitually does when it stands on the highway and by fraud or force extorts from individual citizens a much larger sum in excessive tolls, to which its right is no better than to the money it tried to get by bribery?

The functions of railroad corporations are clearly defined and ought to be as universally understood as those of any servant which the State or general government employs. Without proprietary right in the highways, they are appointed to superintend them for the owners. They are charged with the duty of seeing that every needed facility for the use of those thoroughfares shall be furnished to all citizens, like the justice promised in Magna Charta, without sale, denial, or delay. Such services, if faithfully performed, are important and valuable, and the compensation ought to be a full equivalent; accordingly they are authorized to pay themselves, by levying upon all who use the road, a tax, or toll, or freight, sufficient for that purpose.

But this tax must be reasonable, fixed, certain, and uniform, otherwise it is a fraud upon the people, which no department of the State government, nor all of them combined, has power to legalize.

It is much easier to see the nature and character of the mischief wrought by the present practices of the railroad companies than it is to calculate its extent. If your action depends in any degree upon the amount of the spoliation which the people of the State have suffered and are now suffering for want of just laws to protect them, you certainly ought to direct an official inquiry into the subject and ascertain the whole truth as nearly as possible.

But investigations have already taken place in Congress and the legislatures of several States; complaints founded upon specified facts come up from every quarter; verified accusations are made by some of the companies against others; railroad men have openly confessed their fraudulent practices, and sometimes boasted of the large sums they accumulate by them. Putting

these together you can make at least an approximate calculation. I doubt not you will find the sum total of the plunder they have taken in the shape of excessive charges to be frightful.

Three or four years ago a committee of the United States Senate collected the materials and made a report upon this general subject, in which they showed that an excess of five cents per hundredweight, charged on the whole agricultural crop of the then current year, would amount to seventy millions of dollars. Upon the crop of the last year it would doubtless come nearer a hundred millions. The railroads would not get this sum, because not nearly all of it is carried, but it would operate as an export tax operates; that is to say, the producer, the consumer, or the intermediate dealer, would lose that amount on the whole crop, carried or not carried. In 1880 the charges from Chicago to the eastern markets were raised from ten cents per hundredweight to thirty-five cents, the latter rate being unquestionably twice as high as a fair one. You can count from these data the terrible loss sustained by the land, labor, and trade of the country. It was the end and the attainment of a combination still subsisting between the great trunk lines, as they are called, to pool their receipts, to stop all competition, to unite the stealing power of all into one grand monopoly and put the whole people at their mercy. It was a criminal conspiracy by the common and statute laws of all the States. . . .

We are often told that in this struggle for honest government against the power of the railroad corporations the just cause has no chance of success. We do seem to be out on a forlorn hope. The little finger of monopoly is thicker than the loins of the law.

The influence of our enemies over the legislature is mysterious, incalculable, and strong enough to make the Constitution a dead letter in spite of oaths to obey it, and a popular demand, almost universal, to enforce it. There is no other subject upon which the press is so shy as upon this, the most important of all. Afraid to oppose the corrupt corporations, and ashamed to defend them, it sinks into neutrality. Prudent politicians always want a smooth road to run on, and the right path here is full of impediments. In this state of things we seem weaker than we really are; for the unbroken heart of the people is on the side of justice, equality, and truth. Monopolists may sneer at our blundering leadership and the unorganized condition of our common file, but they had better bethink them that when the worst comes

to the worst, our raw militia is numerous enough to overwhelm their regulars, well paid and well drilled as they are. They have destroyed the business of hundreds for one that they have favored. For every millionaire they have made ten thousand paupers, and the injured parties lack no gall to make oppression bitter.

The people, certainly, got one immense advantage over the carrying corporations when they adopted the seventeenth article of the Constitution. That concedes to us all the rights we ask, puts the flag of the commonwealth into our hands and consecrates our warfare. The malign influence that heretofore has palsied the legislative arm cannot last forever. We will continue to elect representatives again and again, and every man shall swear upon the Gospel of God that he will do us the full and perfect justice which the Constitution commands. At last we will rouse the "conscience of a majority, screw their courage to the sticking place, and get the appropriate legislation" which we need so sorely.

Whenever a majority in both houses becomes independent enough to throw off the chains which now bind them to the service of monopoly; when frequent repetitions of the oath to obey the Constitution shall impress its obligation upon their hearts; when admonition and reproof from within and without — "line upon line, precept upon precept, here a little and there a little"—shall have taught them that fidelity to the rights of the people is a higher virtue than subserviency to the mere interests of a corrupt corporation; when the seventeenth article shall have been read and reread in their hearing often enough to make them understand the import of its plain and simple words, then, without further delay and with no more paltry excuses, they will give us legislation appropriate, just, and effective. A tolerably clear perception of their duty, coupled with a sincere desire to do it, will enable them to catch the shortest and easiest way. All trifling with the subject will cease at once; all modes of evading this great point will go out of fashion; no contrivance will be resorted to of ways not to do it while professing to be in favor of it; our common sense will not be insulted by the offer of a civil remedy to each individual for public offenses which affect the whole body of the people and diminish the security of all men's rights at once. The legislative vision, relieved from the moral strabismus which makes it crooked now, will see straight through the folly of trying to correct the general evil except by the one

appropriate means of regular punishment at the suit of the State. Does this seem harsh? Certainly not more severe than any other criminal law on our statute book which applies to railway managers as well as to everybody else. They need not suffer the penalty unless they commit the crime; and they will not commit the crime if you make a just penalty the legal consequence. Pass a proper law to-day and they will be as honest as you are to-morrow. Every one of them can be trusted to keep clear of acts which may take him to the penitentiary. They have been guilty in their past lives, and will continue in evil doing for some time to come because the present state of your laws assures them that they shall go "unwhipped of justice." But threaten them with a moderate term of imprisonment and a reasonable fine, and they will no more rob a shipper on the railroad than they will pick your pocket at a prayer meeting. Your law will do its work without a single prosecution. Thus you could, if you would, effect a perfect reform, and yet not hurt a hair on any head—"a consummation most devoutly to be wished."

But it is not to be expected that such good will come immediately. Nearly ten years ago the legislature was commanded to carry out the beneficent measure of the Constitution. For nine years that illustrious body was a dumb impediment to the course of justice—all its faculties paralyzed by some inscrutable influence—dead—devoid of sense and motion, as if its only function was to "lie in cold obstruction and to rot." At last, when it was wakened up by the present governor, and reminded of the seventeenth article, it opened its mouth and spoke as one who did not know whether he was sworn to oppose the Constitution or to obey it. Some members have shown their utter hostility to it, some have been willing to defend small portions of it, and one Senator discovered that it was all equally sacred. But his plan meets no favor. Still, we need not despair. The people and the Constitution, mutually supporting one another, will be triumphant yet. Meanwhile let all the railroad rings rejoice. This is their day; ours is to come.

JAMES G. BLAINE

(1830–1893)

MR. BLAINE'S great strength lies in his naturalness and in his perfect control of himself. In his studied efforts he strains after effect seldomer than almost any other man in American history who has exercised great power over popular assemblies. Burke goes from one climax to another in rapid succession, regardless of the risk of bathos. Blaine rises steadily to his final climax as if it were part of his nature to increase his strength at every step of his progress. He described himself and his own naturalness of method in saying of Garfield: "He never did so well but that it seemed he could easily have done better." Whether he rises with the first impetus of his subject, or circles with easy grace and assured wing-sweep after having risen, we see that what he does is essentially part of his nature.

It is said that Whitefield once preached to an audience of sailors in New York city and described the wreck of a vessel on a lee shore with such effect that at the climax the entire audience rose to its feet crying, "The long boat—take to the long boat!" Blaine had something of the same faculty of compelling his audience to forget him, to lose sight of his individuality, to cease to hear his voice, and to become wholly engrossed in the subject itself. This and his intense nervous energy, so controlled that it does not display itself in passion, show in his greatest oratorical efforts as the probable secret of what was called his "magnetism." In his oration over Garfield he sinks himself wholly in the character of the man he eulogizes, and without once confessing himself voices his own deepest nature in defining the intellectual and moral nature of his friend. The rapid flow of its limpid sentences make the oration over Garfield a model for all who hate exaggeration and love above everything else the simplicity of that continuous and sustained statement which feels no need of tropes and metaphors. Mr. Blaine's great strength is the purity of his English, the power of sustained effort, the ability to keep the end in view from the beginning, and the power to make every subordinate part fit into the whole. Lacking this faculty, the greatest orator of England, forgetting in his own strength the weakness of his audiences, made almost as great a reputation for emptying the benches before the close of his speeches as he did for the

genius which filled them at his openings. But Blaine never failed to control the attention of his audience. The expectation he excited at the beginning he knew how to sustain to the close, gratifying it finally in such bursts of poetry as that which forms the climax of the oration over Garfield.

Henry Clay was the model on whom Blaine formed himself. His admiration for the great Kentuckian shaped his political course in early life and remained strong in his maturity. His admirers loved to call him "a second Clay," and it is not at all improbable that when the passage of time has been great enough to make possible the true perspective of history, the best examples of Blaine's eloquence will be ranked with those of Clay as powerful factors in changing the general trend of American oratory from the mere imitation of the Latin style to the development of the Anglo-Saxon.

ORATION ON GARFIELD

(In the Hall of the House of Representatives, February 27th, 1882)

Mr. President:—

FOR the second time in this generation the great departments of the Government of the United States are assembled in the Hall of Representatives, to do honor to the memory of a murdered President. Lincoln fell at the close of a mighty struggle, in which the passions of men had been deeply stirred. The tragical termination of his great life added but another to the lengthened succession of horrors which had marked so many lintels with the blood of the firstborn. Garfield was slain in a day of peace, when brother had been reconciled to brother, and when anger and hate had been banished from the land.

"Whoever shall hereafter draw a portrait of murder, if he will show it as it has been exhibited where such example was last to have been looked for, let him not give it the grim visage of Moloch, the brow knitted by revenge, the face black with settled hate. Let him draw, rather, a decorous, smooth-faced, bloodless demon; not so much an example of human nature in its depravity and in its paroxysms of crime, as an infernal being, a fiend in the ordinary display and development of his character."

From the landing of the Pilgrims at Plymouth till the uprising against Charles I., about twenty thousand emigrants came from old England to New England. As they came in pursuit of

intellectual freedom and ecclesiastical independence, rather than for worldly honor and profit, the emigration naturally ceased when the contest for religious liberty began in earnest at home. The man who struck his most effective blow for freedom of conscience, by sailing for the colonies in 1620, would have been accounted a deserter to leave after 1640. The opportunity had then come on the soil of England for that great contest which established the authority of Parliament, gave religious freedom to the people, sent Charles to the block, and committed to the hands of Oliver Cromwell the supreme executive authority of England. The English emigration was never renewed, and from these twenty thousand men, with a small emigration from Scotland and from France, are descended the vast numbers who have New England blood in their veins.

In 1685 the revocation of the Edict of Nantes by Louis XVI., scattered to other countries four hundred thousand Protestants, who were among the most intelligent and enterprising of French subjects — merchants of capital, skilled manufacturers, and handicraftsmen superior at the time to all others in Europe. A considerable number of these Huguenot French came to America; a few landed in New England and became honorably prominent in its history. Their names have in large part become Anglicized, or have disappeared, but their blood is traceable in many of the most reputable families and their fame is perpetuated in honorable memorials and useful institutions.

From these two sources, the English-Puritan and the French-Huguenot, came the late President — his father, Abram Garfield, being descended from the one, and his mother, Eliza Ballou, from the other.

It was good stock on both sides — none better, none braver, none truer. There was in it an inheritance of courage, of manliness, of imperishable love of liberty, of undying adherence to principle. Garfield was proud of his blood; and, with as much satisfaction as if he were a British nobleman reading his stately ancestral record in Burke's 'Peerage,' he spoke of himself as ninth in descent from those who would not endure the oppression of the Stuarts, and seventh in descent from the brave French Protestants who refused to submit to tyranny even from the Grand Monarque.

General Garfield delighted to dwell on these traits, and during his only visit to England he busied himself in discovering every

maturer life gave evidence of this early training. At eighteen years of age he was able to teach school, and thenceforward his ambition was to obtain a college education. To this end he bent all his efforts, working in the harvest field, at the carpenter's bench, and in the winter season teaching the common schools of the neighborhood. While thus laboriously occupied he found time to prosecute his studies, and was so successful that at twenty-two years of age he was able to enter the junior class at Williams College, then under the presidency of the venerable and honored Mark Hopkins, who, in the fullness of his powers, survives the eminent pupil to whom he was of inestimable service.

The history of Garfield's life to this period presents no novel features. He had undoubtedly shown perseverance, self-reliance, self-sacrifice, and ambition — qualities which, be it said for the honor of our country, are everywhere to be found among the young men of America. But from his graduation at Williams onward, to the hour of tragical death, Garfield's career was eminent and exceptional. Slowly working through his educational period, receiving his diploma when twenty-four years of age, he seemed at one bound to spring into conspicuous and brilliant success. Within six years he was successively president of a college, State senator of Ohio, Major-General of the Army of the United States, and Representative-Elect to the national Congress. A combination of honors so varied, so elevated, within a period so brief and to a man so young, is without precedent or parallel in the history of the country.

Garfield's army life was begun with no other military knowledge than such as he had hastily gained from books in the few months preceding his march to the field. Stepping from civil life to the head of a regiment, the first order he received when ready to cross the Ohio was to assume command of a brigade, and to operate as an independent force in Eastern Kentucky. His immediate duty was to check the advance of Humphrey Marshall, who was marching down the Big Sandy with the intention of occupying in connection with other Confederate forces the entire territory of Kentucky, and of precipitating the State into secession. This was at the close of the year 1861. Seldom, if ever, has a young college professor been thrown into a more embarrassing and discouraging position. He knew just enough of military science, as he expressed it himself, to measure the extent of his ignorance, and with a handful of men he was

marching, in rough winter weather, into a strange country, among a hostile population, to confront a largely superior force under the command of a distinguished graduate of West Point, who had seen active and important service in two preceding wars.

The result of the campaign is matter of history. The skill, the endurance, the extraordinary energy shown by Garfield, the courage imparted to his men, raw and untried as himself, the measures he adopted to increase his force and to create in the enemy's mind exaggerated estimates of his numbers, bore perfect fruit in the routing of Marshall, the capture of his camp, the dispersion of his force, and the emancipation of an important territory from the control of the rebellion. Coming at the close of a long series of disasters to the Union arms, Garfield's victory had an unusual and an extraneous importance, and in the popular judgment elevated the young commander to the rank of a military hero. With less than two thousand men in his entire command, with a mobilized force of only eleven hundred, without cannon, he had met an army of five thousand and defeated them, driving Marshall's forces successively from two strongholds of their own selection, fortified with abundant artillery. Major-General Buell, commanding the Department of the Ohio, an experienced and able soldier of the regular army, published an order of thanks and congratulation on the brilliant result of the Big Sandy campaign which would have turned the head of a less cool and sensible man than Garfield. Buell declared that his services had called into action the highest qualities of a soldier, and President Lincoln supplemented these words of praise by the more substantial reward of a brigadier-general's commission, to bear date from the day of his decisive victory over Marshall.

The subsequent military career of Garfield fully sustained its brilliant beginning. With his new commission he was assigned to the command of a brigade in the Army of the Ohio, and took part in the second decisive day's fight in the great battle of Shiloh. The remainder of the year 1862 was not especially eventful to Garfield, as it was not to the armies with which he was serving. His practical sense was called into exercise in completing the task assigned him by General Buell, of reconstructing bridges and re-establishing lines of railway communication for the army. His occupation in this useful but not brilliant field was varied by service on courts-martial of importance, in which

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department of duty he won a valuable reputation, attracting the notice and securing the approval of the able and eminent judge-advocate-general of the army. That of itself was a warrant to honorable fame; for among the great men who in those trying days gave themselves, with entire devotion, to the service of their country, one who brought to that service the ripest learning, the most fervid eloquence, the most varied attainments, who labored with modesty and shunned applause, who in the day of triumph sat reserved and silent and grateful — as Francis Deak in the hour of Hungary's deliverance — was Joseph Holt, of Kentucky, who in his honorable retirement enjoys the respect and veneration of all who love the Union of the States.

Early in 1863 Garfield was assigned to the highly important and responsible post of chief of staff to General Rosecrans, then at the head of the Army of the Cumberland. Perhaps in a great military campaign no subordinate officer requires sounder judgment and quicker knowledge of men than the chief of staff to the commanding general. An indiscreet man in such a position can sow more discord, breed more jealousy, and disseminate more strife than any other officer in the entire organization. When General Garfield assumed his new duties he found various troubles already well developed and seriously affecting the value and efficiency of the Army of the Cumberland. The energy, the impartiality, and the tact with which he sought to allay these dissensions, and to discharge the duties of his new and trying position, will always remain one of the most striking proofs of his great versatility. His military duties closed on the memorable field of Chickamauga, a field which however disastrous to the Union arms gave to him the occasion of winning imperishable laurels. The very rare distinction was accorded him of great promotion for his bravery on a field that was lost. President Lincoln appointed him a major-general in the Army of the United States for gallant and meritorious conduct in the battle of Chickamauga.

The Army of the Cumberland was reorganized under the command of General Thomas, who promptly offered Garfield one of its divisions. He was extremely desirous to accept the position, but was embarrassed by the fact that he had, a year before, been elected to Congress, and the time when he must take his seat was drawing near. He preferred to remain in the military service, and had within his own breast the largest confidence of

success in the wider field which his new rank opened to him. Balancing the arguments on the one side and the other, anxious to determine what was for the best, desirous, above all things, to do his patriotic duty, he was decisively influenced by the advice of President Lincoln and Secretary Stanton, both of whom assured him that he could, at that time, be of especial value in the House of Representatives. He resigned his commission of major-general on the fifth day of December, 1863, and took his seat in the House of Representatives on the seventh. He had served two years and four months in the army, and had just completed his thirty-second year.

The Thirty-Eighth Congress is pre-eminently entitled in history to the designation of the War Congress. It was elected while the war was flagrant, and every Member was chosen upon the issues involved in the continuance of the struggle. The Thirty-Seventh Congress had, indeed, legislated to a large extent on war measures, but it was chosen before any one believed that secession of the States would be actually attempted. The magnitude of the work which fell upon its successor was unprecedented, both in respect to the vast sums of money raised for the support of the army and navy, and of the new and extraordinary powers of legislation which it was forced to exercise. Only twenty-four States were represented, and one hundred and eighty-two members were upon its roll. Among these were many distinguished party leaders on both sides, veterans in the public service with established reputations for ability and with that skill which comes only from parliamentary experience. Into this assemblage of men Garfield entered without special preparation, and it might almost be said unexpectedly. The question of taking command of a division of troops under General Thomas, or taking his seat in Congress, was kept open till the last moment; so late, indeed, that the resignation of his military commission and his appearance in the House were almost contemporaneous. He wore the uniform of a major-general of the United States army on Saturday, and on Monday, in civilian's dress, he answered to the roll call as a Representative in Congress from the State of Ohio.

He was especially fortunate in the constituency which elected him. Descended almost entirely from New England stock, the men of the Ashtabula district were intensely radical on all questions relating to human rights. Well educated, thrifty, thoroughly

intelligent in affairs, acutely discerning of character, not quick to bestow confidence, and slow to withdraw it, they were at once the most helpful and most exacting of supporters. Their tenacious trust in men in whom they have once confided is illustrated by the unparalleled fact that Elisha Whittlesey, Joshua R. Giddings, and James A. Garfield represented the district for fifty-four years.

There is no test of man's ability in any department of public life more severe than service in the House of Representatives; there is no place where so little deference is paid to reputation previously acquired or to eminence won outside; no place where so little consideration is shown for the feelings or failures of beginners. What a man gains in the House he gains by sheer force of his own character, and if he loses and falls back he must expect no mercy and will receive no sympathy. It is a field in which the survival of the strongest is the recognized rule and where no pretense can deceive and no glamour can mislead. The real man is discovered, his worth is impartially weighed, his rank is irreversibly decreed.

With possibly a single exception, Garfield was the youngest Member in the House when he entered, and was but seven years from his college graduation. But he had not been in his seat sixty days before his ability was recognized and his place conceded. He stepped to the front with the confidence of one who belonged there. The House was crowded with strong men of both parties; nineteen of them have since been transferred to the Senate, and many of them have served with distinction in the gubernatorial chairs of their respective States and on foreign missions of great consequence; but among them all none grew so rapidly, none so firmly, as Garfield. As is said by Trevelyan of his parliamentary hero, Garfield succeeded "because all the world in concert could not have kept him in the background, and because when once in the front he played his part with a prompt intrepidity and a commanding ease that were but the outward symptoms of the immense reserves of energy on which it was in his power to draw." Indeed, the apparently reserved force which Garfield possessed was one of his great characteristics. He never did so well but that it seemed he could easily have done better. He never expended so much strength but that he seemed to be holding additional power to call. This is one of the happiest and rarest distinctions of an effective debater,

and often counts for as much in persuading an assembly as the eloquent and elaborate argument.

The great measure of Garfield's fame was filled by his service in the House of Representatives. His military life, illustrated by honorable performance, and rich in promise, was, as he himself felt, prematurely terminated and necessarily incomplete. Speculation as to what he might have done in the field, where the great prizes are so few, cannot be profitable. It is sufficient to say that as a soldier he did his duty bravely; he did it intelligently; he won an enviable fame, and he retired from the service without blot or breath against him. As a lawyer, though admirably equipped for the profession, he can scarcely be said to have entered on its practice. The few efforts that he made at the bar were distinguished by the same high order of talent which he exhibited on every field where he was put to test, and if a man may be accepted as a competent judge of his own capacities and adaptation, the law was the profession to which Garfield should have devoted himself. But fate ordained it otherwise, and his reputation in history will rest largely upon his service in the House of Representatives. That service was exceptionally long. He was nine times consecutively chosen to the House, an honor enjoyed by not more than six other Representatives of the more than five thousand who have been elected from the organization of the government to this hour.

As a parliamentary orator, as a debater on an issue squarely joined, where the position had been chosen and the ground laid out, Garfield must be assigned a very high rank. More, perhaps, than any man with whom he was associated in public life he gave careful and systematic study to public questions, and he came to every discussion in which he took part with elaborate and complete preparation. He was a steady and indefatigable worker. Those who imagine that talent or genius can supply the place or achieve the results of labor will find no encouragement in Garfield's life. In preliminary work he was apt, rapid, and skillful. He possessed in a high degree the power of readily absorbing ideas and facts, and, like Dr. Johnson, had the art of getting from a book all that was of value in it by a reading apparently so quick and cursory that it seemed like a mere glance at the table of contents. He was a pre-eminently fair and candid man in debate, took no petty advantage, stooped to no unworthy methods, avoided personal allusions, rarely appealed

to prejudice, did not seek to inflame passion. He had a quicker eye for the strong point of his adversary than for his weak point, and on his own side he so marshaled his weighty arguments as to make his hearers forget any possible lack in the complete strength of his position. He had a habit of stating his opponent's side with such amplitude of fairness and such liberality of concession that his followers often complained that he was giving his case away. But never in his prolonged participation in the proceedings of the House did he give his case away, or fail in the judgment of competent and impartial listeners to gain the mastery.

These characteristics, which marked Garfield as a great debater, did not, however, make him a great parliamentary leader. A parliamentary leader, as that term is understood wherever free representative government exists, is necessarily and very strictly the organ of his party. An ardent American defined the instinctive warmth of patriotism when he offered the toast, "Our country always right; but, right or wrong, our country." The parliamentary leader who has a body of followers that will do and dare and die for the cause is one who believes his party always right, but, right or wrong, is for his party. No more important or exacting duty devolves upon him than the selection of the field and the time of the contest. He must know not merely how to strike, but where to strike and when to strike. He often skillfully avoids the strength of his opponent's position and scatters confusion in his ranks by attacking an exposed point, when really the righteousness of the cause and the strength of logical intrenchment are against him. He conquers often both against the right and the heavy battalions; as when young Charles Fox, in the days of his Toryism, carried the House of Commons against justice, against immemorial rights, against his own convictions,— if, indeed, at that period Fox had convictions,— and in the interest of a corrupt administration, in obedience to a tyrannical sovereign, drove Wilkes from the seat to which the electors of Middlesex had chosen him and installed Luttrell in defiance, not merely of law, but of public decency. For an achievement of that kind Garfield was disqualified — disqualified by the texture of his mind, by the honesty of his heart, by his conscience, and by every instinct and aspiration of his nature.

The three most distinguished parliamentary leaders hitherto developed in this country are Mr. Clay, Mr. Douglas, and Mr.

Thaddeus Stevens. Each was a man of consummate ability, of great earnestness, of intense personality, differing widely each from the others, and yet with a signal trait in common — the power to command. In the "give and take" of daily discussion; in the art of controlling and consolidating reluctant and refractory followers; in the skill to overcome all forms of opposition, and to meet with competency and courage the varying phases of unlooked-for assault or unsuspected defection, it would be difficult to rank with these a fourth name in all our Congressional history. But of these Mr. Clay was the greatest. It would, perhaps, be impossible to find in the parliamentary annals of the world a parallel to Mr. Clay, in 1841, when at sixty-four years of age he took the control of the Whig party from the President who had received their suffrages, against the power of Webster in the Cabinet, against the eloquence of Choate in the Senate, against the Herculean efforts of Caleb Cushing and Henry A. Wise in the House. In unshared leadership, in the pride and plentitude of power he hurled against John Tyler with deepest scorn the mass of that conquering column which had swept over the land in 1840, and drove his administration to seek shelter behind the lines of his political foes. Mr. Douglas achieved a victory scarcely less wonderful when, in 1854, against the secret desires of a strong administration, against the wise counsel of the older chiefs, against the conservative instincts and even the moral sense of the country, he forced a reluctant Congress into a repeal of the Missouri Compromise. Mr. Thaddeus Stevens, in his contests from 1865 to 1868, actually advanced his parliamentary leadership until Congress tied the hands of the President and governed the country by its own will, leaving only perfunctory duties to be discharged by the Executive. With two hundred millions of patronage in his hands at the opening of the contest, aided by the active force of Seward in the Cabinet, and the moral power of Chase on the Bench, Andrew Johnson could not command the support of one-third in either house against the parliamentary uprising of which Thaddeus Stevens was the animating spirit and the unquestioned leader.

From these three great men Garfield differed radically; differed in the quality of his mind, in temperament, in the form and phase of ambition. He could not do what they did, but he could do what they could not, and in the breadth of his Congressional

work he left that which will longer exert a potential influence among men, and which, measured by the severe test of posthumous criticism, will secure a more enduring and more enviable fame.

Those unfamiliar with Garfield's industry, and ignorant of the details of his work, may in some degree measure them by the annals of Congress. No one of the generation of public men to which he belonged has contributed so much that will be valuable for future reference. His speeches are numerous, many of them brilliant, all of them well studied, carefully phrased, and exhaustive of the subject under consideration. Collected from the scattered pages of ninety royal octavo volumes of the Congressional Record, they would present an invaluable compendium of the political history of the most important era through which the national government has ever passed. When the history of this period shall be impartially written, when war legislation, measures of reconstruction, protection of human rights, amendments to the Constitution, maintenance of public credit, steps toward specie resumption, true theories of revenue may be reviewed, unsurrounded by prejudice and disconnected from partisanism, the speeches of Garfield will be estimated at their true value and will be found to comprise a vast magazine of fact and argument, of clear analysis and sound conclusion. Indeed, if no other authority were accessible, his speeches in the House of Representatives, from December 1863, to June 1880, would give a well connected history and complete defense of the important legislation of the seventeen eventful years that constitute his parliamentary life. Far beyond that, his speeches would be found to forecast many great measures yet to be completed — measures which he knew were beyond the public opinion of the hour, but which he confidently believed would secure popular approval within the period of his own lifetime, and by the aid of his own efforts.

Differing, as Garfield does, from the brilliant parliamentary leaders, it is not easy to find his counterpart anywhere in the record of American public life. He perhaps more nearly resembles Mr. Seward in his supreme faith in the all-conquering power of a principle. He had the love of learning and the patient industry of investigation to which John Quincy Adams owes his prominence and his presidency. He had some of those ponderous elements of mind which distinguished Mr. Webster, and

which indeed, in all our public life, have left the great Massachusetts Senator without an intellectual peer.

In English parliamentary history, as in our own, the leaders in the House of Commons present points of essential difference from Garfield. But some of his methods recall the best features in the strong, independent course of Sir Robert Peel, and striking resemblances are discernable in that most promising of modern conservatives, who died too early for his country and his fame, the Lord George Bentinck. He had all of Burke's love for the sublime and the beautiful, with, possibly, something of his superabundance, and in his faith and his magnanimity, in his power of statement, in his subtle analysis, in his faultless logic, in his love of literature, in his wealth and world of illustration, one is reminded of that great English statesman of to-day, who, confronted with obstacles that would daunt any but the dauntless, reviled by those whom he would relieve as bitterly as by those whose supposed rights he is forced to invade, still labors with serene courage for the amelioration of Ireland and for the honor of the English name.

Garfield's nomination to the presidency, while not predicted or anticipated, was not a surprise to the country. His prominence in Congress, his solid qualities, his wide reputation, strengthened by his then recent election as Senator from Ohio, kept him in the public eye as a man occupying the very highest rank among those entitled to be called statesmen. It was not mere chance that brought him this high honor. "We must," says Mr. Emerson, "reckon success a constitutional trait. If Eric is in robust health, and has slept well and is at the top of his condition, and thirty years old at his departure from Greenland, he will steer west and his ships will reach Newfoundland. But take Eric out and put in a stronger and bolder man and the ships will sail six hundred, one thousand, fifteen hundred miles farther and reach Labrador and New England. There is no chance in results."

As a candidate Garfield steadily grew in public favor. He was met with a storm of detraction at the very hour of his nomination, and it continued with increasing volume and momentum until the close of his victorious campaign:—

> "No might nor greatness in mortality
> Can censure 'scape; backwounding calumny
> The whitest virtue strikes. What king so strong
> Can tie the gall up in the slanderous tongue?"

Under it all he was calm, strong, and confident; never lost his self-possession, did no unwise act, spoke no hasty or ill-considered word. Indeed, nothing in his whole life is more remarkable or more creditable than his bearing through those five full months of vituperation — a prolonged agony of trial to a sensitive man, a constant and cruel draft upon the powers of moral endurance. The great mass of these unjust imputations passed unnoticed, and, with the general *débris* of the campaign, fell into oblivion. But in a few instances the iron entered his soul and he dies with the injury unforgotten if not unforgiven.

One aspect of Garfield's candidacy was unprecedented. Never before in the history of partisan contests in this country had a successful presidential candidate spoken freely on passing events and current issues. To attempt anything of the kind seemed novel, rash, and even desperate. The older class of voters recalled the unfortunate Alabama letter, in which Mr. Clay was supposed to have signed his political death warrant. They remembered also the hot-tempered effusion by which General Scott lost a large share of his popularity before his nomination, and the unfortunate speeches which rapidly consumed the remainder. The younger voters had seen Mr. Greeley in a series of vigorous and original addresses preparing the pathway for his own defeat. Unmindful of these warnings, unheeding the advice of friends, Garfield spoke to large crowds as he journeyed to and from New York in August, to a great multitude in that city, to delegations and to deputations of every kind that called at Mentor during the summer and autumn. With innumerable critics, watchful and eager to catch a phrase that might be turned into odium or ridicule, or a sentence that might be distorted to his own or his party's injury, Garfield did not trip or halt in any one of his seventy speeches. This seems all the more remarkable when it is remembered that he did not write what he said, and yet spoke with such logical consecutiveness of thought and such admirable precision of phrase as to defy the accident of misreport and the malignity of misrepresentation.

In the beginning of his presidential life Garfield's experience did not yield him pleasure or satisfaction. The duties that engross so large a portion of the President's time were distasteful to him, and were unfavorably contrasted with his legislative work. "I have been dealing all these years with ideas," he impatiently exclaimed one day, "and here I am dealing only with

persons. I have been heretofore treating of the fundamental principles of government, and here I am considering all day whether A or B shall be appointed to this or that office." He was earnestly seeking some practical way of correcting the evils arising from the distribution of overgrown and unwieldy patronage — evils always appreciated and often discussed by him, but whose magnitude had been more deeply impressed upon his mind since his accession to the presidency. Had he lived, a comprehensive improvement in the mode of appointment and in the tenure of office would have been proposed by him, and, with the aid of Congress, no doubt perfected.

But, while many of the executive duties were not grateful to him, he was assiduous and conscientious in their discharge. From the very outset he exhibited administrative talent of a high order. He grasped the helm of office with the hand of a master. In this respect, indeed, he constantly surprised many who were most intimately associated with him in the government, and especially those who had feared that he might be lacking in the executive faculty. His disposition of business was orderly and rapid. His power of analysis and his skill in classification enabled him to dispatch a vast mass of detail with singular promptness and ease. His cabinet meetings were admirably conducted. His clear presentation of official subjects, his well-considered suggestion of topics on which discussion was invited, his quick decision when all had been heard, combined to show a thoroughness of mental training as rare as his natural ability and his facile adaptation to a new and enlarged field of labor.

With perfect comprehension of all the inheritances of the war, with a cool calculation of the obstacles in his way, impelled always by a generous enthusiasm, Garfield conceived that much might be done by his administration towards restoring harmony between the different sections of the Union. He was anxious to go South and speak to the people. As early as April he had ineffectually endeavored to arrange for a trip to Nashville, whither he had been cordially invited, and he was again disappointed a few weeks later to find that he could not go to South Carolina to attend the centennial celebration of the victory of the Cowpens. But for the autumn he definitely counted on being present at the three memorable assemblies in the South, the celebration at Yorktown, the opening of the Cotton

Exposition at Atlanta, and the meeting of the Army of the Cumberland at Chattanooga. He was already turning over in his mind his address for each occasion, and the three taken together, he said to a friend, gave him the exact scope and verge which he needed. At Yorktown he would have before him the association of a hundred years that bound the South and the North in the sacred memory of a common danger and a common victory. At Atlanta he would present the material interests and the industrial development which appealed to the thrift and independence of every household, and which should unite the two sections by the instinct of self-interest and self-defense. At Chattanooga he would revive memories of the war only to show that after all its disaster and all its suffering the country was stronger and greater, the Union rendered indissoluble, and the future, through the agony and blood of one generation, made brighter and better for all.

Garfield's ambition for the success of his administration was high. With strong caution and conservatism in his nature, he was in no danger of attempting rash experiments or of resorting to the empiricism of statesmanship. But he believed that renewed and closer attention should be given to questions affecting the material interests and commercial prospects of fifty millions of people. He believed that our continental relations, extensive and undeveloped as they are, involved responsibility and could be cultivated into profitable friendship or be abandoned to harmful indifference or lasting enmity. He believed with equal confidence that an essential forerunner to a new era of national progress must be a feeling of contentment in every section of the Union and a generous belief that the benefits and burdens of government would be common to all. Himself a conspicuous illustration of what ability and ambition may do under republican institutions, he loved his country with a passion of patriotic devotion, and every waking thought was given to her advancement. He was an American in all his aspirations, and he looked to the destiny and influence of the United States with the philosophic composure of Jefferson and the demonstrative confidence of John Adams.

The political events which disturbed the President's serenity for many weeks before that fatal day in July, form an important chapter in his career, and, in his own judgment, involved questions of principle and right which are vitally essential to the

constitutional administration of the Federal Government. It would be out of place here and now to speak the language of controversy, but the events referred to, however they may continue to be a source of contention with others, have become, as far as Garfield is concerned, as much a matter of history as his heroism at Chickamauga or his illustrious service in the House. Detail is not needful, and personal antagonism shall not be rekindled by any word uttered to-day. The motives of those opposing him are not to be here adversely interpreted nor their course harshly characterized. But of the dead President this is to be said, and said because his own speech is forever silenced and he can be no more heard except through the fidelity and the love of surviving friends. From the beginning to the end of the controversy he so much deplored, the President was never for one moment actuated by any motive of gain to himself or of loss to others. Least of all men did he harbor revenge, rarely did he even show resentment, and malice was not in his nature. He was congenially employed only in the exchange of good offices and the doing of kindly deeds.

There was not an hour, from the beginning of the trouble till the fatal shot entered his body, when the President would not gladly, for the sake of restoring harmony, have retracted any step he had taken if such retracting had merely involved consequences personal to himself. The pride of consistency, or any supposed sense of humiliation that might result from surrendering his position, had not a feather's weight with him. No man was ever less subject to such influences from within or from without. But after the most anxious deliberation and the coolest survey of all the circumstances, he solemnly believed that the true prerogatives of the Executive were involved in the issue which had been raised and that he would be unfaithful to his supreme obligation if he failed to maintain, in all their vigor, the constitutional rights and dignities of his great office. He believed this in all the convictions of conscience when in sound and vigorous health, and he believed it in his suffering and prostration in the last conscious thought which his wearied mind bestowed on the transitory struggles of life.

More than this need not be said. Less than this could not be said. Justice to the dead, the highest obligation that devolves upon the living, demands the declaration that in all the bearings of the subject, actual or possible, the President was content

in his mind, justified in his conscience, immovable in his conclusions.

The religious element in Garfield's character was deep and earnest. In his early youth he espoused the faith of the Disciples, a sect of that great Baptist Communion which in different ecclesiastical establishments is so numerous and so influential throughout all parts of the United States. But the broadening tendency of his mind and his active spirit of inquiry were early apparent, and carried him beyond the dogmas of sect and the restraints of association. In selecting a college in which to continue his education he rejected Bethany, though presided over by Alexander Campbell, the greatest preacher of his church. His reasons were characteristic: First, that Bethany leaned too heavily toward slavery; and, second, that being himself a Disciple, and the son of Disciple parents, he had little acquaintance with people of other beliefs, and he thought it would make him more liberal, quoting his own words, both in his religious and general views, to go into a new circle and be under new influences.

The liberal tendency which he had anticipated as the result of wider culture was fully realized. He was emancipated from mere sectarian belief, and with eager interest pushed his investigations in the direction of modern progressive thought. He followed with quickening steps in the paths of exploration and speculation so fearlessly trodden by Darwin, by Huxley, by Tyndall, and by other living scientists of the radical and advanced type. His own church, binding its disciples by no formulated creed, but accepting the Old and New Testaments as the word of God, with unbiased liberality of private interpretation, favored, if it did not stimulate, the spirit of investigation. Its members profess with sincerity, and profess only, to be of one mind and one faith with those who immediately followed the Master and who were first called Christians at Antioch.

But however high Garfield reasoned of "fixed fate, freewill, foreknowledge absolute," he was never separated from the Church of the Disciples in his affections and in his associations. For him it held the Ark of the Covenant. To him it was the gate of heaven. The world of religious belief is full of solecisms and contradictions. A philosophic observer declares that men by the thousand will die in defense of a creed whose doctrines they do not comprehend and whose tenets they habitually violate. It is equally true that men by the thousand will cling to church

organizations with instinctive and undenying fidelity when their belief in maturer years is radically different from that which inspired them as neophytes.

But after this range of speculation and this latitude of doubt, Garfield came back always with freshness and delight to the simpler instincts of religious faith, which, earliest implanted, longest survive. Not many weeks before his assassination, walking on the banks of the Potomac with a friend, and conversing on those topics of personal religion concerning which noble natures have unconquerable reserve, he said that he found the Lord's Prayer and the simple petitions learned in infancy infinitely restful to him, not merely in their stated repetition, but in their casual and frequent recall as he went about the daily duties of life. Certain texts of Scripture had a very strong hold on his memory and his heart. He heard, while in Edinburgh some years ago, an eminent Scotch preacher, who prefaced his sermon with reading the eighth chapter of the Epistle to the Romans, which book had been the subject of careful study with Garfield during his religious life. He was greatly impressed by the elocution of the preacher and declared that it had imparted a new and deeper meaning to the majestic utterances of Saint Paul. He referred often in after years to that memorable service, and dwelt with exaltation of feeling upon the radiant promise and the assured hope with which the great Apostle of the Gentiles was "persuaded that neither death, nor life, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

The crowning characteristic of Garfield's religious opinions, as, indeed, of all his opinons, was his liberality. In all things he had charity. Tolerance was of his nature. He respected in others the qualities which he possessed himself — sincerity of conviction and frankness of expression. With him inquiry was not so much what a man believes, but Does he believe it? The lines of his friendship and his confidence encircled men of every creed and men of no creed, and, to the end of his life, on his ever lengthening list of friends were to be found the names of a pious Catholic priest and of an honest-minded and generous-hearted freethinker.

On the morning of Saturday, July 2d, the President was a contented and happy man — not in an ordinary degree, but joyfully,

almost boyishly, happy. On his way to the railroad station, to which he drove slowly, in conscious enjoyment of the beautiful morning, with an unwonted sense of leisure and a keen anticipation of pleasure, his talk was all in the grateful and gratulatory vein. He felt that, after four months of trial, his administration was strong in its grasp of affairs, strong in popular favor, and destined to grow stronger; that grave difficulties confronting him at his inauguration had been safely passed; that troubles lay behind him, and not before him; that he was soon to meet the wife whom he loved, now recovering from an illness which had but lately disquieted and at times almost unnerved him; that he was going to his Alma Mater to renew the most cherished associations of his young manhood, and to exchange greetings with those whose deepening interest had followed every step of his upward progress, from the day he entered upon his college course until he had attained the loftiest elevation in the gift of his countrymen.

Surely, if happiness can ever come from the honors or triumphs of this world, on that quiet July morning James A. Garfield may well have been a happy man. No foreboding of evil haunted him; no slightest premonition of danger clouded his sky. His terrible fate was upon him in an instant. One moment he stood erect, strong, confident in the years stretching peacefully out before him. The next he lay wounded, bleeding, helpless, doomed to weary weeks of torture, to silence and the grave.

Great in life, he was surpassingly great in death. For no cause, in the very frenzy of wantonness and wickedness, by the red hand of murder, he was thrust from the full tide of this world's interest, from its hopes, its aspirations, its victories, into the visible presence of death — and he did not quail. Not alone for one short moment in which, stunned and dazed, he could give up life, hardly aware of its relinquishment, but through days of deadly languor, through weeks of agony, that was not less agony because silently borne, with clear sight and calm courage he looked into his open grave. What blight and ruin met his anguished eyes, whose lips may tell — what brilliant, broken plans, what baffled, high ambitions, what sundering of strong, warm, manhood's friendship, what bitter rending of sweet household ties! Behind him a proud, expectant nation, a great host of sustaining friends, a cherished and happy mother, wearing the full, rich honors of her early toil and tears; the wife of his youth,

whose whole life lay in his; the little boys not yet emerged from childhood's day of frolic; the fair, young daughter; the sturdy sons just springing into closest companionship, claiming every day and every day rewarding a father's love and care; and in his heart the eager, rejoicing power to meet all demands. And his soul was not shaken. His countrymen were thrilled with instant, profound, and universal sympathy. Masterful in his mortal weakness, he became the centre of a nation's love, enshrined in the prayers of a world. But all the love and all the sympathy could not share with him his suffering. He trod the wine press alone. With unfaltering front he faced death. With unfailing tenderness he took leave of life. Above the demoniac hiss of the assassin's bullet he heard the voice of God. With simple resignation he bowed to the Divine decree.

As the end drew near his early craving for the sea returned. The stately mansion of power had been to him the wearisome hospital of pain, and he begged to be taken from his prison walls, from its oppressive, stifling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed-for healing of the sea, to live or to die, as God should will, within sight of the heaving billows, within sound of its manifold voices. With a wan, fevered face, tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders; on its far sails; on its restless waves, rolling shoreward to break and die beneath the noonday sun; on the red clouds of evening, arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a farther shore and felt already upon his wasted brow the breath of the eternal morning.

AUSTIN BLAIR

(1818–1894)

AUSTIN BLAIR, the "War-Governor of Michigan," was one of the most prominent organizers of the Republican party in the Northwest, an aggressive abolitionist and a "Radical" under Andrew Johnson, whose impeachment he supported. In 1872, he made a number of strong speeches for civil as against military government, which were widely read throughout the country. The following on "Military Government" is from a report preserved in the collection of Mr. Enos Clark.

MILITARY GOVERNMENT

(Delivered in Michigan, July 4th, 1872)

THE habits of military government are not easily laid aside. The soldier naturally has much greater faith in the efficiency of his sword to maintain public order and due respect for law than in the slower process of the court and the sheriff. He is apt to feel a certain contempt for the arrest that cannot be made without a demand based on affidavit, and for the imprisonment that may rapidly be terminated by an action of *habeas corpus* and the technicalities of the civil law. The arguments of the lawyer are to him little better than jargon — at the best, cunning devices to defeat justice. Tell him that the great reliance of good government must be upon the good judgment and patriotism of the people, and if he does not contradict you, he will still believe that it would be better if his sword could somehow be thrown into the scale. For some years after the close of the Rebellion it seemed necessary to continue the military occupation of the lately insurrectionary States, and it has been continued in a greater or less degree until this time. During those years we have learned to believe that the use of military force is the most summary and convenient method of putting down those evils which exist there, and very many no doubt seriously believe that there is no other efficient way. Their faith in the people is entirely lost, and they will struggle to keep

up that system. Those portions of the people who may consider themselves oppressed and wronged fly to the military for protection, because they have found it efficient heretofore. The general government is constantly importuned to interfere upon every sort of pretext, and many statutes have been enacted to make such interference legal, until there is a danger that it may be drawn into precedent and become a common recourse. The great constitutional barriers which our fathers erected with such painstaking care and foresight, against the encroachments of power upon the liberties of the people, have been more or less arrested, one after another, until the time has arrived when it is necessary to look into these assumptions and consider whither they tend. None of the safeguards of liberty which experience has proved to be essential can safely be set aside for any cause not of the most serious nature, and then only in pursuance of settled laws. The Constitution of the United States has declared in section nine of the first article, that "the privilege of the Habeas Corpus shall not be suspended unless when in case of rebellion or invasion the public safety may require it." And yet a proposition has lately been made in Congress in a time of profound peace to authorize the President at his discretion to suspend the writ until the fourth of March next. The proposition passed the Senate, and was only defeated in the House by the most strenuous exertions. It seemed to me a very startling proposition considering all the circumstances that surrounded it. The President of the United States, with the power in his hands to suspend that writ at his pleasure, is a dictator in fact, whatever he may be called. It is in the power of his single will to shut up all the courts in the country, to arrest every person in the land by armed soldiery, without a warrant, and to imprison at discretion any citizen who may have incurred the displeasure of the government. This power is so vast and so dangerous that nothing short of the actual existence of the emergencies contemplated by the constitution could for a moment justify it. That it should have been contemplated at all is an evidence of the great progress made within the last four years in those principles and practices which easily justify the use of arbitrary power. There has been no invasion or rebellion, and there is no reason to apprehend either. What, then, was the purpose of this attempt to authorize the suspension of the writ in time of peace? Was it any well-grounded fear that the occasion might occur in which it might lawfully be done, or was it intended to exercise the power against the law

in a certain event? Whatever may have been the design of those who set the scheme on foot, it was frustrated altogether, and the result has been anything but satisfactory to them, as I believe every such effort in the future will be. It is now several years since the war closed. The States have all been restored and are represented in Congress. Is it not time that war legislation should cease? If it is not, when will it be? Are we to go on forever, as if a new rebellion was just about to break out? Shall we never again trust the people with the control of their own affairs? Has local self-government already failed, and must we bring in the mailed Cæsar at once? Perhaps these are vain questions, as I know many regard them, but with very many others they are of the most serious import, and surely it will never be out of order for the American people to consider carefully the drift of public affairs. It is their especial duty to know just what is the meaning of public acts which are in themselves unusual and which seem to lead us in the wrong direction.

What remains for us is restoration. We need to clear away all the rubbish of the war; to put behind us all old conflicts which have no longer any meaning. Why nurse the enmities which grew out of slavery after slavery itself is dead? Why continue to indulge the spirit of war long after war has ceased? Why enact laws of doubtful constitutionality in hope of accomplishing by intimidation what could be much more easily done by conciliation and good will? Why maintain exasperating disabilities after all occasion for them has passed away? A union that rests upon force is not the union established by our forefathers. Force was necessary for a temporary object, but cannot, must not, take the place of statesmanship in our institutions. Reason is the power on which we must rely, with patriotism for the motive to give it direction. Our government is one of the people, and its appeal is always to the good sense and patriotism of the people. Let no man doubt the safety of that appeal in every part of the land. Interest, hopes, ambition, all combine to unite our whole population in one vast National Commonwealth under a Constitution which secures abundantly the rights of all. We want peace, indeed, real, enduring peace, based on mutual interests and common respect. We want order secured by the institution of peace; the court and jury and not the soldier with his bayonet, who never did and never can secure it — not the peace of a desert made by fear, but the blooming, wholesome peace that respects the rights and liberties of all men!

FRANCIS PRESTON BLAIR

(1821–1875)

DURING and after the Civil War the decisive balance of power was held in a territory extending from the eastern line of Ohio to the western line of Missouri and from the latitude of Springfield, Illinois, on the north to the southern boundary of Kentucky.

The question of keeping Missouri and Kentucky in the Union was the vital question of 1861, and it was decided when Frank P. Blair, with characteristic force, rallied the supporters of the Union in Missouri for the defense of the St. Louis arsenal and its 65,000 stands of arms. When, as major-general in the army of General Sherman, he led the Seventeenth army corps on the march to the sea, his services were more brilliant without being more important. The control of the Mississippi and its great confluent streams, the Ohio, the Missouri, and especially the Tennessee, was the decisive factor of the struggle in the Mississippi Valley, and hence in the entire country. The final result was really involved as a logical necessity at the very beginning when the arsenal at St. Louis was held and the State of Missouri kept in the Union.

Once more, after the close of the war, it fell to Blair to lead men whose influence conclusively and unmistakably determined the course of events, though they were in a minority, representing the views of the masses of neither of the great parties as they then were. He stood in the politics of that period for devotion to the Union, and for strong objection to the reconstruction of the government on a basis which was not contemplated during the progress of the war. In his speech on the Fifteenth Amendment he expressed the idea which controlled not only his own course after the war but that of the powerful element he represented as the Democratic nominee for vice-president on the ticket with Seymour. "Have we a Federal Union on a constitutional basis?" he asked. "Are the States equal in political rights? Is the central government acting within constitutional limitations? What is the whole system of reconstruction as it is called, this exclusion of States from their inherent and guaranteed rights? Taxation without representation, their fundamental laws set aside, the popular will suppressed, the right of suffrage taken from the States by an usurping fragment of Congress, the Federal

Constitution itself changed in its character by the same usurping fragment and in defiance of the known and expressed will of the people?»

The politics of more than a decade were directly determined by the idea which is condensed into these sentences. The Liberal Republican movement which began in Missouri and in one way or another decided the course of events until it forced the nomination of Garfield, had its real beginnings when Blair came home after the march to the sea and refused to follow the Republican party beyond the surrender at Appomattox.

In considering the work of men so earnest in their purposes and so reckless of personal considerations in carrying them out as Blair was, the critical faculties refuse to respond to the demand made upon them. We do not ask «Is he right? Is he wrong? Is he for us or against us?» but rather how he came by the intense and fiery energy which compels him in his action as it gives him strength for the struggle.

His characteristic energy showed itself when he took the lead in the fight against the test oaths which were proposed immediately after the close of the war. The case of Blair *versus* Ridgely, one of the most important in American history, was brought by him on the theory that the constitutional clauses and enactments requiring test oaths and providing punishments for refusal to comply with such requirement were in the nature of a bill of attainder and *ex post facto*. This case and others of the same nature were carried to the United States Supreme Court which upheld the theories of those who opposed test oaths as in violation of the Federal Constitution.

Blair was born in Lexington, Kentucky, February 19th, 1821. A graduate of Princeton, educated for the bar in Washington, he located in St. Louis, but ill-health and the necessity for the open air sent him to lead the life of a trapper in the Rocky Mountains. He enlisted as a private in the Mexican War and, after his return, edited the Missouri Democrat in St. Louis. From the campaign in 1848, when he sided with the Free Soil Democrats until after the close of the Civil War, he held the middle ground between the extreme South and the extreme North. Elected to Congress as a Republican in 1856, he advocated colonizing the negroes of the South under an arrangement with Spanish-American countries. In 1866, when nominated for Collector of Internal Revenue at St. Louis, and for Minister to Russia, he was rejected by the Senate for both offices—a fact which probably helped to secure his nomination on the Democratic National ticket in 1868. He was elected United States Senator from Missouri in 1871, and died July 10th, 1875.

THE CHARACTER AND WORK OF BENTON

(Delivered at the Unveiling of the Benton Statue in St. Louis)

People of Missouri:—

THE highest honor ever conferred on me is that of being called on by you to speak on this occasion. To express the gratitude of a great State to its greatest public benefactor; to represent a generous, proud-spirited, yet fond, affectionate community, paying its homage to the exalted genius that cherished its own infancy with a devoted feeling exceeding the instinct which attaches the parent to its new-born offspring; to express the sentiment that swells the heart of Missouri, now elevating to the view of the whole country the imperishable form of her statesman who gave his whole career to her faithful service in the most trying times,—this to me is a most grateful duty, however impossible it may be to discharge it adequately. Your indulgence in assigning me to this honor I know proceeds from the partial kindness always extended to me by the man whose memory your present ceremonies and the monument they consecrate are designed to perpetuate. It is a recollection of this, his personal partiality, that clothes me with your favor, and his great merits will, in your eyes, cover all the imperfection of my efforts to body them forth again. A keynote from my feeble voice will strike the chord in your bosoms requiring no pathos from mine.

All nations, especially free and highly-endowed, cultivated commonwealths, have raised monuments to such of their children as distinguished them by illustrious labors elevating their country to renown. The bond which leads to this so-called "hero-worship" emanates from the sort of self-love which, spreading among a whole people endued with like sympathies, converges in the individual in whose character they perceive the exalted elements that signalize their own genius as a people. Hero-worship in enlightened nations is directly the reverse of the idolatry that springs up in savage ignorance and supplants intelligence by superstition. The Christian religion, in its magnificent monuments and emblems, gives the senses clear conceptions of the life, the body, the moral excellence, and even the sufferings of the Savior. By addressing the senses as well as the reasoning faculties and the sympathies of our nature, it gives embodiment to the thought and feeling which arise from our devotion, with the aspiration which enables it to incorporate with itself the

excellence by which it is impressed. It is so, but in a less degree, of the excellencies of our fellow-men who are commemorated in history, whose forms and lineaments living in marble and painting are presented through successive ages, to animate posterity, to perpetuate virtue by example — by the presentment of the very form and features of the illustrious men who are crowned with national honors, and so to inspire the noble few in every generation to become public benefactors.

To-day, you raise from the grave and give to the light the form, the features of that model of an American Senator, whose patriotism entitled him to all the honors that the Roman Cato merited in the eyes of his countrymen. There never lived a man with more instinctive patriotism than Benton. He was a man of strong, sometimes of unruly passions, but his paramount passion was love of country. Let me open my reminiscences of this strong man of intellect and impulses with a proof of his title to this proud position. I will first touch on an important transaction with which his public life commenced.

After glorious service in the war with Great Britain, in which Benton acted as the aid of General Jackson, a bloody feud arose between them, growing out of a duel in which the brother of the former was wounded by a friend of Jackson, whom he attended as a second. This resulted in hatred, which time made inveterate. With men of such determination, who had refused all explanation at first, who would have no arbitrators but their weapons, no approach to reconciliation seemed possible. The thought of it was not welcome to either until a conjuncture arose which threatened the safety of the country. Both then perceived that their joint efforts were essential to the good of the country, and without a word spoken, without the slightest intimation from either that friendly relations would be welcomed, the Senator began his labors in the service of the President and went to him to know how his co-operation could be made most effective in defense of the Union. Not a word about bygones passed between them. The memory of the quarrel was blotted out by the danger which menaced the country. The old intimacy was revived in their devotion to the public cause. Cordial, unaffected, mutual attachment sprung up, and not a cloud remained of the black storm where rage was once welcomed as promising to end all differences in a common destruction. Patriotism, the ruling passion in both bosoms, exorcised from both every particle of anger, pride, and

the cherished antagonism of years. Benton belonged to the generation of statesmen who followed the founders of the government; when he entered Congress, Monroe was still President, and some few of the framers of the Constitution were Members of the Senate and House. He admired the form of government which these men had assisted in making, and regarded them with a profound veneration which extended to and embraced those who belonged to the Federal school of politics as well as those who belonged to the Democratic school, to which he himself was attached. Nothing better could exemplify his respect for, his deference to these men than the account he gives in a letter to his wife of the "reproof" administered to him by Mr. Rufus King, of New York. He had made a speech in reply to some Member and had spoken with force and animation. "When it was over," he says in his letter, "Mr. King, of New York, came and sat down beside me, on a chair, and took hold of my hand and said he would speak to me as a father; that I had great powers, and that he felt a sincere pleasure in seeing me advance and rise in the world and that he would take the liberty of warning me against an effect of my temperament when heated by opposition; that under those circumstances I took an authoritative manner and a look and tone of defiance which sat ill even on the older Members; and advised me to moderate my manner." "This," says Benton, "was real friendship, enhanced by kindness of manner, and it had its effect." Twenty years afterwards, Benton met two sons of Rufus King in Congress, and he relates "that he was glad to let them both see the sincere respect he had for the memory of their father."

He not only admired and believed in our form of government, but he was of that Democratic school which insisted on restraining the government in the exercise of its powers to a strict and literal interpretation of the Constitution, not only because they believed the framers of the government were wise and sagacious men and knew how to employ language to describe the powers which they sought to confer on the government, but they were upon principles opposed to a strong government and sought in every way to limit its powers and to make each of the different branches a check upon the others. They were profoundly convinced that "the world was governed too much," and that the best government was that which least intermeddled with the affairs of the citizens.

These men believed that the world owed but little to its statesmen and rulers who paid themselves so well, who monopolized the glory, the wealth, and the fame, and whose acts, even when they sought to do good, as a general thing, resulted in obstruction to the progress of mankind. It is sad to reflect that those whose position gives them the greatest power and ability to benefit the human race have been those who have done the least for its advancement. Why is this? What is the explanation? It is found in the fact that power almost invariably corrupts those who are clothed with it; and no class of men have been intrusted with authority who have not abused it. How much greater is our debt to the humble ministers of that science which enables us to encounter disease and disarm pestilence! How much more does the world owe to those who have gained for us the knowledge of the forces of nature and brought them under control, and made them minister to the comfort and happiness of man! How infinitely greater should be our gratitude to those whose inventions in machinery have cheapened the articles of indispensable necessity to the poor than that which we owe to the mightiest potentates of the world! In those countries in which freedom is allowed and where the least intermeddling on the part of the government with the private pursuits is permitted, the greatest success has attended moral and intellectual culture and industrial enterprise. The most meritorious legislation is now confessedly that which has undone the errors of past legislation. Whenever the interests of religion even have been protected by legislation it has led to the persecution of those who have dissented from it and the corruption of those who have conformed to the protective system. Where laws have been made to protect against usury, it has invariably increased the usury and produced crime in the evasion of the laws. And so of every species of protective legislation, a system through which, as it has been well said by one of the most philosophical writers of modern times, "the industrious classes were robbed in order that industry might thrive."

It is in precisely the same sense that the Democratic school, of which Benton was such a profound and faithful expositor, desired to restrict the powers of our government within the narrowest limits, believing that to be the best government which gives to the individual the most complete control of his own actions, and that every restraint upon the freedom of thought and

of actions which do not injure others is not only oppressive to the individual but is also an obstruction to progress and an injury to civilization; that national character improves and becomes vigorous and powerful as free scope is given to the masses of the people to think and act for themselves; and that it deteriorates into feebleness and routine in the degree in which the government assumes to act for them.

Deeply imbued with the political philosophy of Jefferson, the founder of the Democratic school of statesmen, Benton was, moreover, the very personification of the rugged energy and genius of the West, where these theories had taken deepest root. He knew better than any one who preceded him or has followed him its wants, its capabilities, and its destiny. He gave himself with his whole strength and with all the ardor of his mind to the duty of supplying these wants, to the development of its capabilities, and to preparing the way for the accomplishment of its destiny. His task was to undo the vicious legislation by which the energy of the giant West had been chained—legislation the result of the jealous rivalry of other sections, and of that ignorance of our true interests which attaches itself like a fungus to every object from which it can draw strength and life. He well understood that the West only needed to be left free to work out its own prosperity; that all sections would share in this prosperity and that it most wanted the reversal of those laws by which its strength and energy were trammeled; by which its lands were withheld from cultivation to be sold to speculators; by which its mines were leased by the government without gain to any one; by which the necessaries of life were taxed to pay bounty to some losing trade in another section. All such laws were odious to Benton because repugnant to his democratic convictions; especially odious, because burdensome to the young States of the West; and he resolved to attack and overthrow them. The greatness and prosperity of the West are the fitting monuments of him whose labor, energy, and unflagging zeal, unchained her strength, gave homes to her people, fought to death the hydra-headed monopoly which had made her a spoil, and beckoned her to extend her empire to that remote West which blends with the East.

THE DEATHBED OF BENTON

(Peroration of the Benton Monument Address)

When Colonel Benton was on his deathbed, my father and mother both hastened from the country to be by his side. When they arrived his articulation was almost lost; but his mind was clear and his features gave it expression. After some motion of his lips, he drew my father's face close to his and said "Kiss me," and spoke of their long and unbroken friendship. He then uttered Clay's name and with repeated efforts gave my father to understand that he wished him to get the last of his compilation of 'The Debates of Congress' which he prepared a few days before,—the last effort of his feeble hand. It contained Mr. Clay's pregnant reply to Senator Barnwell, of South Carolina, who had vindicated Mr. Rhett's secession pronunciamento for the South. Mr. Clay, in the passage preserved by Colonel Benton, proclaimed the course which should be taken against the attempt indicated by Rhett and advocated by Mr. Barnwell, and my father expressed his satisfaction that this was given prominence as the work of his last moments, since there were then strong symptoms of the revolutionary movement which culminated in the last war. Colonel Benton's countenance, as he recognized that the sense of the manuscript was understood, evidenced his gratification. The scene was reported to Mr. Crittenden and other Union men who had power to impress it on the public mind. It had its efficacy. In 1858 at the epoch of Benton's death, the country and its loyal sons were struggling, like Laocoon and his offspring, with the two great serpents crushing them in their fatal coils. Benton, in his dying hour, seemed in his agonies concerned alone for those which he foresaw awaited the country.

The page to which he pointed my father's eye contained Mr. Clay's last appeal intended to arouse the people to support the government against impending convulsions. Colonel Benton adopted his life-long rival's last appeal as his own, and made it speak when he could no longer utter the counsel which had healed the bitter enmity between him and his great political opponent. And he left that fact as a dissuasive command to the ambitious factions that would rend the country into hostile sections and submerge its glorious institutions to subserve views of personal aggrandizement or gratify a vindictive hatred. The last labors of this great man's life exhibited its great moral attributes

under these most striking circumstances. All the prejudice born of the rivalry of his personal and party ambitions was forgotten. Benton forgot even himself, he almost forgot that he had a soul to save or that he had a suffering body bleeding to death. His bodily pangs at the moment of dissolution seemed to be lost in the thoughts fixed sadly on the ruin portending the grand commonwealth to which he gave a homage that was almost worship. He was like a soldier battling earnestly for the cause that tasked all his powers. He does not feel the bullet that carries his life's blood away in its flight. He remembered that his efforts combined with those of his great party-antagonist had once contributed to save the Union and he was unwilling to lay down his head in the peace of death until he tried to repel another similar but more appalling danger.

It was Woolsey's praise that he was the founder of Oxford University.

> «———so famous,
> So excellent in art and still so rising
> That Christendom shall ever speak his virtue.»

It is a larger merit in our Democratic statesman that he aided in the noble system of public schools in our city and he was, as I am informed, the first secretary of its board. I have often heard him say that he had mistaken his vocation — that he would have accomplished more as a schoolmaster than he had done — that he would have trained many to greatness. It is certain that this was genuine feeling, for he found time amid labors which would have overwhelmed almost any other man, to become the successful instructor of his own children.

I trust that I may not be thought to tread on ground too holy in alluding to the gentle care, the touching solicitude with which he guarded the last feeble pulses of life in her who was the pride and glory of his young ambition, the sweet ornament of his mature fame, and best love of his ripened age. These are the complete qualities which enables us to know him as he was:—

> «Lofty and sour to those who loved him not,
> But to those men who sought him, sweet as summer.»

ON THE FIFTEENTH AMENDMENT

(In the United States Senate, February 15th, 1871)

The Senate having under consideration the joint resolution of the legislature of Indiana withdrawing its assent to the ratification of the fifteenth article of amendment to the Constitution —

Mr. President: —

I DID not intend to take part in this discussion, and I shall be very brief in the expression of my views now, and endeavor not to trespass too long on the indulgence of the Senate.

The Senator from Indiana [Mr. Morton], with his usual ability, which marks him as the leader of the administration party on this floor, — there being many of the old leaders of the Republicans who cannot be claimed for the administration, — has opened the discussion of questions which I regard as of paramount importance to the country. These are the questions involved in the reconstruction acts of Congress. Other questions which attract much attention and employ some of the best minds of our country do not, in my opinion, deserve the prominence which has been given them at this juncture. I do not undervalue the great advantages to the people of low taxes and a sound system of finance; but these are only incidents to the great question beyond, as to the government itself. We might have free trade and a good financial system under a despotism; but a Federal Union of free States, coequal in political rights, with a general government of limited and clearly defined powers, is the opposite of despotism. The two cannot exist together.

Have we a Federal Union on the constitutional basis? Are the States equal in political rights? Is the central government acting within constitutional limitations? What is this whole system of reconstruction, as it is called; this exclusion of States from their inherent and guaranteed rights? Taxation without representation, their fundamental laws set aside, the popular will suppressed, the right of suffrage taken from the States by a usurping fragment of Congress, the Federal Constitution itself changed in its character by the same usurping fragment, and, in defiance of the known and expressed will of the people, the government is literally, practically subverted, and the paramount issue now is to bring back the central government to its legitimate powers, and the restoration of the States to their reserved and undoubted

rights, instead of expending argument and effort on minor questions of expediency, touching the affairs of finance and free trade, questions which will become great and important when we shall have succeeded in rescuing the government itself from the perils which threaten its existence. Democrats may honestly differ on these minor matters, and so may radicals. But on the subject of a consolidated empire or a federal union there can be no division among those who prefer the one or the other system.

If the central government can make and unmake States at pleasure; can reconstruct them, displace the duly elected authorities chosen by the people, and put others in their places by edicts to be executed by the military arm, then we are under a consolidated government without limitation of power. Such has been, and is, the action of Congress and of the administration of General Grant.

The Senator from Indiana fitly represents the administration in the bold, open, and outspoken expression of contempt for representative government. Sir, during the last summer the news was brought to us that the Senator had been appointed to a high mission abroad, the mission to England. It was very gratifying to me. Knowing well his ability and courage, and confiding in his patriotism upon questions pending between his own and a foreign country, I believed our affairs at the English court would be conducted by the honorable Senator with ability, courage, and decorum, and that the honor of the country would be safe in his hands.

But, sir, an election took place during the autumn, in the State of Indiana, and the Democratic party succeeded in electing a majority of the legislature of that State. The Senator at once renounced the mission which he had so recently accepted, and assigned as his reason that he would not have his State send a Senator here in his place to represent the political sentiments of the people of Indiana.

Mr. Morton — Misrepresent?

Mr. Blair — We need not quarrel about that. I shall not use so harsh a term toward him as to say he misrepresents the State of Indiana. He may, and doubtless does, believe that he represents the people of the State, but if there was a Senator to be chosen by the legislature just elected no one doubts that a Democrat would be chosen; and this fact would furnish the best evidence of the political sentiment of the people.

If the distinguished Senator had gone abroad upon the mission to which he was appointed, he would have learned in the royal court to which he was accredited a greater deference for the popular will than he seems to have attained in the party to which he belongs at home. He would have discovered there, in monarchical England, that no minister or public servant can hold office against the popular sentiment; but the Senator holds his place, although the people of his State have condemned him in the only form and manner in which public sentiment is ascertained in our country. He openly avows, moreover, that he continues so to hold it to prevent the election of one who more nearly represents the opinions of that body whose duty it is to select a Senator in his place.

The Senator has gone somewhat into the history of the Fifteenth Amendment, the rightful adoption of which is controverted by his State in the concurrent resolutions passed by the legislature of Indiana, and which are now under consideration by the Senate. I shall also refer to some historical matters pertaining to that measure. I remember very well that the Congress which proposed that amendment to the States failed to do so until after the presidential election, and that their nominating convention, which sat in Chicago, held out the promise to the people that no such amendment should be proposed, declaring in emphatic terms that, while they claimed the right to regulate the suffrage by Congress in the States lately in revolt, the States that had not been in rebellion should have, and of right ought to have, the power to regulate suffrage for themselves. This was a trick to avoid an issue which would have been fatal to them in the presidential election. But when, after the election, the party to which the Senator belongs had secured another lease of power, they then proposed to the States this amendment, refusing and voting down a proposition made, I think, in both houses of Congress, certainly in one of the houses, that the amendment should be submitted to legislatures of the States, elected after the amendment was submitted by Congress to the States for ratification. This was promptly refused. They did not intend that the people should have anything to do with framing their own organic law. This measure, the Senator declares, had become "a political necessity" for his party, and could not be trusted to the people.

What further? The two Senators who sat here from my own State, neither of whom sit here now, voted for this amendment

after the people of Missouri, in the election immediately preceding, had voted down negro suffrage by thirty thousand majority, and the legislature, elected by that very vote, ratified the amendment, in defiance of this overwhelming expression of public sentiment.

A similar state of facts occurred in Kansas, where, in the election preceding, negro suffrage had been defeated by fifteen thousand majority. In the State of Ohio the majority against negro suffrage was fifty thousand, and yet her Republican Senators and Representatives, and her Republican legislature, promptly disregarded the public will by proposing and ratifying this amendment. In the State of Michigan the people refused to give suffrage to the negroes by a majority of thirty-four thousand. Her Senators and Representatives were equally regardless of the wishes of their people, and hastened to fasten upon them an organic law for which they had proclaimed their detestation. I could go on and enumerate many more of the Northern States in which the people had expressed their will with equal emphasis, and were treated with equal contempt by their Republican Senators and Representatives. Among the number were the States of New York, Connecticut, and New Jersey; and, indeed, I think that none of the Northern States can be excepted,— not one!

Now, sir, I do not know a single northern State outside of New England in which the people, whenever the question has been submitted to them, have not rejected the proposition to allow negro suffrage; and yet these gentlemen hurried the matter through without a constitutional quorum in the State of the Senator from Indiana; and in my State, after the people had condemned it by thirty thousand majority six months previous, the radical legislature adopted one-half of it on a telegram, not waiting to receive an official and authentic copy, such was their haste to show contempt for the popular will of the State.

Then the question is raised by the State of Indiana in these resolutions in reference to the ratification of Virginia, Mississippi, Texas, and Georgia, without the ratification of which States the amendment was not adopted. If adopted at all, we have seen that it was adopted against the remonstrance of all the people of the North, and simply by coercion in the States of the South; and yet that amendment is now to be considered as one of those sacred things upon which no man must lay his hands. Because the perfidious representatives of the people have betrayed their

trust and fixed a yoke upon their necks, they are not to wince when they are galled; and if some States, by a fraud obtaining the signatures of the presiding officers of the two houses, enact into a law that which they had no right to enact, and contrary to the forms ordained in their own constitution, we have no right to examine it or hold to proper accountability those who have committed fraud and perverted the forms of law to give effect to their crime.

Sir, if constitutional amendments can be adopted in that way we might well have constitutional amendments here that would create what the gentleman pretends so much to apprehend. If constitutional amendments can be adopted in this mode, against the remonstrance of the entire body of the people of the North, or a vast majority of them, as indicated by the facts to which I have referred, and which are not contradicted in the Senate, and cannot be contradicted, why may we not soon have one declared adopted which provides for a President and Senate for life, and why may not other aristocratic and monarchical institutions be fixed upon us by coercing these carpet-bag States, or, in the congressional slang, requiring them to adopt another fundamental condition, and by misrepresenting and defying the will of the people in the States of the North? And then we shall be told, in the language of the Senator, that we have no right to say a word; we have no right even to expose the perfidy by which the people have been betrayed; and we shall be denounced as revolutionists if we do.

This is no idle apprehension. Each day ushers in some new and monstrous usurpation of power on the part of the dominant party. One aggression is but the stepping-stone of another. The indignation excited by each successive infringement of the rights of the people is a pretext for still further encroachments. The plea of "political necessity," by which the Senator justifies the adoption of the Fifteenth Amendment, is always ready, and has become the law of the existence of that party which, having forfeited the confidence of the people, is now compelled to retain power by fraud and force. Hence the bill to employ the army to enforce the Fifteenth Amendment, which has grown out of that measure, and the bill now pending in the other house enlarging the powers of the President for the same purpose. It is the fungus growth from a rotten system, more poisonous than that which produced it.

Sir, I had occasion to be very grateful to the Senator from Wisconsin who sits nearest to me [Mr. Carpenter] for the speech which he made in this hall the other day, able and learned as it was, vindicating the position which the Democratic party have taken upon this subject. The argument is one which is familiar to us in Missouri. We have there labored under disqualifications and disabilities fixed upon us by a constitution of our State by which more than one-half the citizens were deprived of the right of suffrage and the right to hold office, and even to practice professions by which they earned their bread.

The Democratic party in the convention at New York made this issue broadly and unmistakably: that the reconstruction acts of Congress were unconstitutional, null, and void. That is the very language of their resolution, and because in these acts Congress sought and did inflict punishments upon a whole people, which the Constitution prohibits and declares shall never be inflicted except after a judicial trial and conviction by due process of law. This legislative trial, conviction, and punishment is known to every lawyer to be a bill of attainder prohibited by the Constitution of the United States. Congress has no power not given by that instrument, and when it inflicts punishment without its authority it is no more than a mere mob of lynchers. It has no more rightful power than a body of conspirators against the government. It is the Constitution that gives life and vigor to the resolutions of Congress; and, when it attempts to exercise powers not delegated to it, its edicts ought to be void and of no more effect than the resolutions of a mass meeting held in the streets of a city.

What were the punishments which Congress in the reconstruction acts sought to inflict upon the people of the South? Instead of proceeding to punish those who had been in rebellion according to law, by indictment, trial, and conviction, they declared by act of Congress that certain classes had been guilty of treason, and condemned the community *en masse*, forfeiting their rights as citizens, depriving them of the right of suffrage, and declaring them ineligible to office. The persons upon whom these punishments were inflicted were citizens of the States recently in rebellion. The fact that they were States in the Union cannot be denied, because all of them had voted to ratify the Thirteenth Amendment to the Constitution, emancipating the slaves, and their votes upon this amendment had already been

counted and accepted by Congress. They were thus recognized as States, capable of performing the highest functions of the States, capable of acting upon amendments to the organic law of the Republic proposed by Congress to the States; not proposed to Territories or conquered provinces, but proposed to the States in the Union.

And unless they had thus been recognized and regarded as States in the Union they could not have voted for the ratification of that amendment, fixing the organic law of the Republic, not alone for themselves, but all the other States. This is a higher function, a more important office than that of participating by their representatives in the legislation of Congress. Without the votes of these States the Thirteenth Amendment was not adopted and is not a part of the Constitution. If it is valid, and no one denies its validity, then they were States at that time, and Congress could not expel them or reconstruct them. It was after this recognition that Congress proceeded to displace their constituted authorities, place them under martial law, disfranchise their citizens, and disqualify them from the exercise of all civil rights, transferring the political power to the hands of the ignorant and vicious part of the population, who had hitherto been slaves, thus inflicting punishment without judicial trial. This brings me to the point put so strongly to the Senate the other day by the Senator from Wisconsin [Mr. Carpenter], that no man can be punished by an act of Congress or by the act of any legislative body; that such an act is a bill of attainder, and is denounced and prohibited by the Constitution, and especially as against a whole community, confounding the innocent with the guilty, if guilt could be attached to any individual under such circumstances.

Again, this disfranchisement was the operative part of the machinery of these reconstruction acts. Without it they would have had no effect in the South. The effective machinery was the deprivation of classes of citizens of their right of suffrage and conferring that same right upon others who never had been entitled to it, in violation of another plain provision of the Constitution, which reserves to the States themselves the right to regulate their own suffrage. The reconstruction acts go still further, giving to the military authorities the power to enforce their provisions by arrest, by imprisonment, by punishment of any person resisting them, thus depriving those charged with the

commission of crime of the right of trial by jury and the other safeguards which the Constitution has thrown over all the citizens of the country, its humblest and highest, its best and worst. I believe there is scarcely a single article or paragraph of the Constitution which was not violated by the reconstruction acts. The command of the troops who were to put the acts into execution was taken away from the constitutional commander-in-chief of the Army and Navy of the United States and conferred upon another individual. You can hardly put your hand on a single sentence of these abominations, called the reconstruction acts, without encountering some violation of the Constitution, in its letter or principle, of the United States; and the difficulty is to find any one of its articles which they do not violate. These gentlemen themselves knew these acts to be in violation of the Constitution.

I do not hesitate to say that the conduct of Congress betrayed their own knowledge of the fact that they were violating the Constitution. Not only were the principles which they violated plain and unmistakable, but they had been decided by the Supreme Court in the case of Milligan and others in Indiana, the Senator's own State, — and he at least must have been familiar with it, — where an attempt was made to punish a citizen of the United States, alleged to be guilty of crime, by a military commission. The Supreme Court delivered him from their hands. He was condemned to death by the commission. But he is still alive, and lives in the gentleman's State.

In Milligan's case the Supreme Court of the United States said: —

"Another guarantee of freedom was broken when Milligan was denied a trial by jury. The great minds of the country have differed on the correct interpretation to be given to various provisions of the Federal Constitution, and judicial decision has been often invoked to settle their true meaning; but until recently no one ever doubted that the right of trial by jury was fortified in the organic law against the power of attack. It is now assailed; but if ideas can be expressed by words, and language has any meaning, this right, one of the most valuable in a free country, is preserved to every one accused of crime who is not attached to the army or navy or militia in actual service." (4 Wallace's Supreme Court Reports, page 122.)

In the case of Cummings *versus* The State of Missouri, the question involved was the right of a State to pass an *ex post*

facto law, or bill of attainder, disqualifying citizens from practicing particular professions and disqualifying persons from the exercise of the right of suffrage; and such an attempt was pronounced by the Supreme Court of the United States to be unconstitutional, null, and void.

Both of these decisions were prior to the reconstruction acts. But after the reconstruction acts were passed the McCardle case, which arose under those acts, came up by appeal to the Supreme Court; and what was the conduct of the Republican party in Congress?

First, an attempt was made to get the court to dismiss the case for want of jurisdiction; but when the Republican majority of Congress ascertained that the court had taken jurisdiction of the McCardle case, they unhesitatingly passed an act taking away the right of appeal which theretofore had been given to people suffering deprivation of personal liberty under color of a law of Congress. They thus took away the jurisdiction of the Supreme Court, thinking they rescued their acts from condemnation in that way. Surely this was a most unparalleled occurrence. If they had desired that the first court of the land should have an opportunity to pass upon the constitutionality or unconstitutionality of their acts, they would unhesitatingly have abided the decision of the Supreme Court; but as they knew that the Supreme Court had decided to take jurisdiction, they knew from its decision in the case of Milligan what would be the result in the case of McCardle, and they immediately passed a bill taking away the right of appeal, which had been given by previous legislation. I say this act betrays their own guilty knowledge that they were violating the Constitution. I do not think so meanly of the intelligence of the Republicans in Congress as not to believe that they knew these acts were unconstitutional, that they were without a vestige of authority.

Now, if the crime committed by the Southern men in going into the rebellion deserved punishment, they should have been punished according to the Constitution. That was the only way in which we could punish their crime without committing on our part as great a crime, the crime of destroying our own government and overthrowing our own Constitution. Sir, in overthrowing our Constitution, in violating its sacred guarantees, we committed the same crime with which we had charged the rebels of the South and of which they undoubtedly had been guilty.

That was my view of the case, and believing that these acts of Congress were unconstitutional, null, and void, I believe that the President of the United States, who was sworn to maintain the Constitution, ought not to allow it to be trampled under foot; that your conscience, sir, and the conscience of the majority in these two houses, should not dictate to the President what he should do in a case of this kind. He had his own conscience to keep clear and spotless, he had sworn an oath himself, and I remember right well that it was not the Democratic convention which sat in New York two years ago that first gave utterance to this doctrine, that the President of the United States was bound by his oath to maintain the Constitution, and not to allow it to be violated in any way or by anybody, neither by Congress nor by his own act, nor by the act of any one else.

Mr. Jefferson, who founded the Democratic party, held and declared this doctrine not only as a matter of theory, but he acted upon it on a memorable occasion when President of the United States. I prefer to quote his own language. In a letter to Mr. Adams, dated the eleventh of September, 1804, he says:—

"You seem to think it devolved on the judges to decide on the validity of the Sedition Law. But nothing in the Constitution has given them a right to decide for the Executive, more than to the Executive to decide for them. Both magistracies are equally independent in the sphere of action assigned to them."

And again, in a letter to George Hay, dated Washington, June 2d, 1807, in reference to the action of the Executive on the Sedition Act, he says:—

"The judges determined the Sedition Act was valid under the Constitution." . . . "But the Executive determined that the Sedition Act was a nullity under the Constitution, and exercised his regular power of prohibiting the execution of the sentence."

General Jackson was equally explicit, both in the declaration of the principle and its exemplification in his official action. In his protest against the resolution of censure adopted by the Senate, December 26th, 1833, he says:—

"Each of the three great departments is independent of the other in its sphere of action, and when it deviates from that sphere is not responsible to the others further than it is especially made so in the

Constitution, In every other respect each of them is the coequal of the other two, and all are the servants of the American people, without power or right to control or censure each other in the service of their common superiors save only in the manner and to the degree which that superior has prescribed."

In the bank veto, July 10th, 1832, are these words:—

"The Congress, the Executive, and the court must each for itself be guided by its own opinion of the Constitution. Each public officer who takes an oath to support the Constitution swears that he will support it as he understands it, and not as it is understood by others."

And this construction of the Constitution, so manifestly true, so far from being revolutionary, is demonstrated by recent events to be essential to secure the people in the enjoyment of their rights and protect them from usurpation by Congress, the strongest and least responsible and most dangerous department of the government. We have seen this body not only denying representation to the people of eleven States, but foisting governments upon those States and putting its own creatures into the halls of Congress as Representatives of those States, merely to strengthen the hands of the dominant party. Thus re-enforced, it was enabled to override the President's veto and to withdraw from the courts all power to revise its action. Coercing the President to execute its behests by the fear of impeachment, its power has been unlimited. In this way it has carried out reconstruction acts and constitutional amendments, and intends to perpetuate its power in defiance of the popular will.

The danger which now menaces the liberties of the people could never have occurred if by refusing to execute its revolutionary program the people could have been called on to decide between the Congress and the President. There would have been no delay by adjourning the question over for the popular umpirage in the settlement of the questions at issue, and the only difference would be that the questions would have been fairly presented to and decided by the proper tribunal, with no possible danger to the public peace in the meantime.

This view proceeds upon and accords with the theory that the people — not the Congress, or the President, or the courts — are to govern. Radicalism proceeds upon the reverse of this. None of the measures of reconstruction, so called, would have been

adopted if they had been submitted to the people in this manner. They have been forced in, *seriatim*, by fraud, by denying persistently that it was the purpose to impose such measures upon the country, and using the power obtained by such denials to press upon the country the very measures disavowed before the people. The constitutional amendments have been obtained by coercion in the South, and in defiance of the known will of the people of the North.

This, sir, is simply and without any concealment my view of the theory of our government. That Congress has been usurping the powers which belong to the President and to other coordinate branches of the government I have not a particle of doubt. The overwhelming majority obtained by the Republicans in Congress during the Rebellion and afterward, by bringing unauthorized persons into Congress to increase that majority, has sent them headlong upon their career; and they have been and are grasping at every power which was placed by our ancestors in the hands of the President and the courts. Our fathers defined and divided the powers of the government, to prevent all power being grasped and concentrated in the hands of any one of the different branches of government. I believe that the reckless legislation of which the Republican party have been guilty are flagitous violations of the Constitution; and in it the gentleman has been a leader, though he did not begin early to lead in this direction. He began, if I am not mistaken, with the same views of reconstruction as those now held by the Democratic party. But having been converted to this doctrine, he has out-Heroded Herod, and, with the proverbial zeal of a new convert, has gone further than any one else, and signalized himself by the boldness and audacity of his assaults upon the Constitution. What is there in our government now that we can recognize as the government which descended to us from our fathers? I remember reading one of the first contested-election cases which occurred in Congress. It was the case of Mr. Preston, of western Virginia, and he was expelled from his seat because his brother marched a company of troops through the streets of the town on the day of the election. Such was the jealousy with which even the appearance of employing force in our elections was regarded by our ancestors. Now an election is not valid unless it is superintended by the bayonets of the regular army. Our army moves wherever there is an election. They no longer make war upon

the camps of the enemies of the government, but they make war upon the political opponents of the administration, and charge upon the ballot boxes and the polls.

Mr. President, I was perfectly well aware that this practice, although it commenced at the South, would not end there. The party in power commenced using the bayonets to set up the carpet-baggers in the Southern States, in the reconstructed States. Although those States were at peace, and desired peace more than any other part of our country, still they were not allowed to hold an election without the presence of the army. I knew very well that when the Republican party had accustomed the people of this country to hold elections under the superintendence of military officers and armed troops it would not be a great while before the "political necessity" of the party would extend that practice into the Northern States; and from having originated in the South, in those States which had been in rebellion, it has recently gone into the States which furnished the most powerful aid and the largest number of men to overthrow the rebellion.

Mr. Morton — Will the Senator allow me to ask him a question?

Mr. Blair — Certainly.

Mr. Morton — I ask the Senator whether he regards the Fifteenth Amendment as having been adopted, and as now being a part of the fundamental law of the land?

Mr. Blair — I should think the gentleman ought to have got my opinion of the Fifteenth Amendment by this time. [Laughter.] I think that the ratification of my own State, for instance, was in legal form, although that ratification was obtained by the most infamous perfidy. General Grant carried the State of Missouri by twenty-five thousand majority, and at the same election the negro suffrage amendment to the Constitution was voted down by thirty thousand majority, and not one-half of the people of Missouri were allowed to vote. The majority in the State of Missouri against that amendment was known to the Senators who sat upon this floor, and the Representatives who sat in the other house, to be probably two-thirds of the entire population of the State; and yet, without any sort of consideration or regard for the will of that immense and overwhelming majority, the Senators and Representatives of the State and the Members of the Legislature hurried to give effect and vitality to this Fifteenth Amendment.

The very gentlemen who claim that the ballot is necessary to protect the negro, who attach such immense importance to the ballot, when the ballot has been exercised by their own constituents adverse to their wishes and party interests, disregard it as if it were no more than waste paper. That shows the real opinion of those gentlemen in regard to the suffrage. How much protection did the suffrage afford the people of Missouri, Ohio, Kansas, Michigan, New York, Connecticut, and the other Northern States also, that voted by immense majorities against negro suffrage, against the perfidy and misrepresentation of their Representatives in Congress and the State legislatures which have saddled them with the Fifteenth Amendment, and which the Senator from Indiana well says became a "political necessity" to his party at this crisis?

I have enumerated already other States, and I do not wish to call the roll again to show the gentleman from Indiana what my opinion of the adoption of the Fifteenth Amendment is. I do not controvert the fact that even the fraud which was successfully practiced in his own State has been placed beyond the reach of any other correction than the rebuke administered by the people in the election of a Democratic legislature, whose resolutions are now under consideration, placing its perpetrators in the pillory of public opinion, and depriving us of the Senator's services as minister to the Court of St. James. This act has probably reached a point where it cannot now, according to the rules of law, be investigated; but I wish to be understood as saying that the people of this country have a right to hold those who have perpetrated these infamies to responsibility.

RICHARD P. BLAND

(1835–1899)

IT IS generally believed that what is known as the "Parting of the Ways" speech, delivered by Richard P. Bland, of Missouri, in the House of Representatives, resulted in what were to many the surprising political changes of the presidential campaign of 1896. Soon after his inauguration in 1893, President Cleveland called an extra session of Congress to repeal the clauses of the Sherman Act which required the purchase and coinage of silver bullion. It was in protesting against the policy suggested by this recommendation that Mr. Bland spoke of the "Parting of the Ways." In copying his speech from the official report, only the argument bearing on abstract questions of political economy has been omitted, while that which explains subsequent political history has been given verbatim.

THE PARTING OF THE WAYS

(Delivered in the House of Representatives, August 11th, 1893)

IT IS said that history repeats itself, and it seems that the Democratic party is especially the victim of history repeated in some way. When the people intrusted our party in 1884 with the administration of the government, when the Democratic House of Representatives was chosen, I remember full well, and I see around me gentlemen who remember it as I do, for they were here at that time, that before the inauguration of the President of the United States whom we had elected, the emissaries of Wall Street swarmed the lobbies of the House and this capitol, just as they did last winter, demanding—what? Demanding the repeal of the so-called Bland Act.

Precisely the same proceedings that we had here last winter! We were told then that it was the wish of the Executive-Elect that that act be repealed, as we were told the same thing last winter. We were told that it was his opinion and the opinion of his advisers that this country was coming then to the single silver standard. If we did not repeal that law, we were threatened

with a panic, with gold going to a premium. The House was forced to a vote upon that subject before we were adjourned at that time, as we were practically last winter; but it voted the proposition down by a tremendous majority. During the following summer, the New York papers, as they have been this summer, were filled with predictions of gold premiums and panics.

The New York Herald, one of their leading papers, had every day in its columns, "We are still coining the 70 and 75 cent dollar," as a standing advertisement of a panic.

Some time in September or October, before the meeting of Congress, these generous bankers in New York, who say that they control the finances of this country and that what they demand must be acceded, made arrangement with the then Secretary of the Treasury by which they were to withdraw $10,000,000 of subsidiary silver coin and to place in the Treasury of the United States $10,000,000 of gold, in order to secure and maintain gold payments, advertising to all the country that the bankers of New York had come to the relief of the Federal Treasury with $10,000,000 of gold to maintain the public credit.

It was done, Mr. Speaker, to terrorize the people of this country and, if possible, to bring about a panic such as you have to-day, and they know it. And we met in something of a financial panic; not so severe as it is now, however. The whole country was stirred on the silver question. We met in Congress and the question was debated. The result of it all was the refusal to repeal the silver law by over a two-thirds' vote of that House; and the panic vanished. That was the end of it. When they ascertained that the free people of this country, through their representatives, could not be driven as a herd of buffaloes on the Western plains into a panic, to trample themselves and those depending upon them, they ceased.

The howl against silver and the panic stopped. The country continued in its usual prosperity, whatever that may be. We kept on winning these seventy-cent dollars, and no disturbance was made of it, practically, for four years. The Democratic party in the House maintained it against all assaults. But when, unfortunately, our friends on the other side got the power, they enacted another law, repealing the law of 1878. . . .

Now, sir, we are asked here deliberately to repeal that law, and I want to call the attention of my friends on this side of the House, who proclaim themselves to be friends of free coinage

at a reasonable ratio — I want to call their attention to this point and to ask them this question: Why do you gentlemen insist that you will repeal this law and send silver down probably fifteen cents an ounce before you fix the ratio? Is that an act friendly to silver? Can any gentleman here fail his free coinage constituency and defend his vote subtracting from the value of silver fifteen cents an ounce before he votes to fix the ratio? I dare him to undertake it. He cannot do it.

It may be convenient to follow the recommendations of the President, but the President does not elect the Members of this House. We do not hold our commissions from the Executive, and I am afraid that if some of us undertake to act here upon that line, when our present commissions expire we shall have all the leisure that we want to study the silver question in peace and quietness at home. For myself I feel it to be a conscientious duty to carry out my convictions on this subject, and I owe it to my constituents to represent what I believe to be their interests. Why are we rushed in here and asked to repeal the only law that sustains, for the moment, at least, the value of silver, before we fix the ratio?

There is no consistency in it; none whatever! The claim is not sincere that the President expects hereafter to recommend bimetallism, for he does not do it in his message, and that claim misrepresents his position. He recommends the reverse. The concluding paragraph of the message means, if it means anything, that after you shall have totally demonetized silver by repealing this Sherman Act, you will be required to go further in the same direction; and I make a prediction here and now, and, my friends, I want you to watch the proceedings of Congress in these coming weeks of this extra session, or of the next regular session, to see whether I am right or not.

My prediction is that in order to carry out the recommendations of that message we shall be called upon to sell bonds to procure gold. For what? To redeem all our pecuniary obligations, according to the very language of that message, in that money which is recognized by the principal nations of the world. Why did not the President say "gold"? We know what his language means. You are asked to load up the Federal Treasury with gold, to redeem every pecuniary obligation to the government with gold, although the standard silver dollar is the identical dollar on which bond obligations were based when they

were issued, because they called for coin of the standard value at the time of their issue, and that was the standard.

But now, I repeat, we shall have to redeem all this bullion, all these Sherman notes in gold; we shall have to sell bonds to get gold to redeem all our greenbacks, all our silver certificates, and we will be compelled to carry our silver dollars as so much dead weight of bullion in the Treasury, so that we might as well dump them into the Potomac. That is what all this means. In other words, every piece of paper money issued in this country to-day, every silver certificate, every greenback, every bond, every Sherman note, is to be redeemed in gold, and we must procure the gold for their redemption.

What, then, are you to do with your silver bullion and with all your silver dollars, together about $500,000,000? They are to be demonetized as a base metal, and you know it. I am talking to intelligent gentlemen here who have read it; who can understand it. Why should you go on, then, to try to deceive yourselves and your constituents on this subject? There is no silver in that message, and gentlemen on the other side will simply do themselves and the subject justice if hereafter, in the course of their debate, they will leave silver out of it, because they are proposing a measure in which there is no consideration whatever for silver.

Mr. Speaker, it may be necessary, and probably is, that I go somewhat into the discussion of the silver question on its merits. I have alluded to these preliminary matters which have been thrown in, and have tried to state that no legislation which we can enact here is going to relieve the panic. This panic has been brought about for the express purpose of repealing this law; there is no question about that. We were threatened last winter with a gold premium. I stated, then, on this floor, and I state now, that there is no gold premium.

On the contrary, I believe the people are now paying a premium for silver and silver certificates. We were urged that we must issue more bonds, that if we did not we were to have a panic. All the newspapers, of the East especially, were advertising a panic if we did not issue bonds. We did not issue them. The Secretary of the Treasury was threatened with a panic if he did not comply with the demand, and he refused. Those who were interested in getting up this panic began to refuse loans, to cramp, to draw in currency. Many of the banks which had been

engaged in booming real estate, or in other questionable transactions, and were consequently weak, began to fail.

Stocks called "industrial stocks," that had been watered in Wall Street, cordage trusts, lead trusts, whisky trusts, railroad stocks that had been watered, began to tumble down to something like natural rates, and you had a panic. Banks which were weak began to fail, and the people began a run on banks which were strong. The whole country became alarmed. People began to take their money out of the banks and put it into safe-deposit vaults or into their safes at home. It is said they ought to let their money remain in the banks. Well, probably they ought to do so; but what is the difference? The banks are afraid to let the money go out if they have it. Now, the panic has come; and those who conspired to bring it about have got more than they bargained for. The idea is that we can relieve this panic by the repeal of the Sherman law.

Why, Mr. Speaker, I say right here (and history will bear me out in the statement) that while there was some alarm in the country before, yet the moment the British government demonetized silver in India, then the panic began in earnest — not before! That precipitated this panic in its present shape. We all understand that. In this way desolation was brought into many of the States of this Union, and men who had before been prosperous and happy were by the thousands sent as tramps throughout the land.

All parts of the country have felt its effects. It is this fight upon silver that has precipitated this panic; and the repeal of the Sherman law will only intensify it, not relieve it. The panic will be relieved when everything gets so low that people see they can make money by buying; when they begin to buy, prices will go up; and when everybody is buying money will come from its hoarding places and you will have some relief. In no other way will relief come.

Gold is coming to us to-day. Notwithstanding we are told the people across the water are afraid to invest here for fear that we will not pay in gold, yet these people are sustaining prices to-day and sending here all the money that they can spare. There was a panic in gold-using Australia that has bankrupted that whole people and sent terror to the banks all over England. We know that gold cannot be obtained there except by paying for it; yet it is coming here.

Talk about a premium on gold! Here is the Treasury of the United States that is open to the plunder of every speculator in the civilized world. He can take his Sherman note or his greenback or any other government currency there and get gold without cost. Did you ever notice the names of the gentlemen in New York who are shipping gold abroad, or bringing it back? Every one of those names that I have seen has a foreign termination; every one of those gentlemen, so far as I am advised, is an agent for or conducts a branch bank of some bank across the water.

If you go to the Bank of England to get gold for export you must pay a premium on it; if you go to the Bank of France to get gold for export you must pay a premium on it. The case is the same with every other banking house in Europe; no gold can be obtained there without paying a premium. But here is the Treasury of the United States professing to be so helpless that it cannot prevent every gold speculator from robbing the government of its gold. Our Treasury will not pay out the silver which it might pay.

The Bank of France will pay out silver, or will charge a premium on gold if it is wanted for anything but domestic use. But the Treasury of the United States, instead of paying out gold and silver in equal quantities and thus preserving its gold (if it is necessary to preserve it,—though I see no necessity of preserving it, for all our money is at a premium to-day), lets everybody go there and get as much gold as he pleases. Why not pay out the silver when we have more of it than we have of gold, or pay out gold when we have more of it than silver, and thus protect ourselves?

It is because the administration is hostile to silver; and thus it is surrendering this country to the Shylocks of the Old World who have made war upon it. The aristocracy of Western Europe has absolutely tabooed silver in those countries and driven it away from there. Here it finds its only resting place. The last fight for the white metal is to be made here in this country and in this House, my friends. Will you stand by it now, or will you let the Shylocks come and have their way? It is for you to determine.

I think, Mr. Speaker, that we can trust the people of this country on a question of as vital importance as this. The question is now before us. This is its last resort. Will you virtually

demonetize the money of nearly 70,000,000 of people, with a vast empire of 3,000,000 of square miles, a people thirsting for money to open up new railroads, to establish new factories, to operate new places of business, to inaugurate new industries; 70,000,000 people demanding money, twice what we have to-day, a new people, a new country, a free people,—or they ought to be free whether they are or not.

Are you to give up the fight and let this vast body of our wealth go to ruin? I do not believe it. We know well enough that if we repeal this law and give nothing for it, the people of this country will regard it as a total demonetization of silver, which it will be, so far as this Congress is concerned, without any question.

Now, my friends,—and I do not care whether you are Democrats or Republicans, or who you are, but I appeal to you, especially as Democrats,—when in 1890 in nearly every State of this Union the Democratic party in its platforms demanded free and unlimited coinage of silver, when you embodied it in your great Chicago national platform, when the Democratic party has for years stood before the House and the country as the bulwark in defense of the white metal,—in the face of all these things are you now to desert the cause and surrender the fight? Can you afford to do it? Will you go to your people and tell them that you are not able to carry out the pledges of your platform, the promises upon which you were sent here, or any part of it, except that which resulted in the total demonetization of silver and the sacrifice of their interests?

What does free coinage of silver mean? It means that the holders of silver bullion, at some ratio to be fixed in the bill, may go to the mints of the government and have it struck into legal-tender money of the government and deposit the dollars so coined, if the holder so desires, and have a certificate issued to him in place of it. What is the effect of unlimited coinage of silver in this country? and I invite your attention to this particularly, because it is a question of vital importance. It means that the silver coins of the United States at whatever ratio is fixed, and I want the present ratio that we have now, 16 to 1, maintained precisely as it is—it means that the silver of the world can come here in exchange for what we have to sell.

Yes, it means that the silver of the whole world can come here. But they say that we will be flooded with the world's

silver, that it will be dumped down upon us. Now, let us see about that for a moment. It means that any one with sixteen ounces of silver can come here from any part of the world, or with one ounce of gold, and he can buy your grain, he can buy your house and lot, he can buy your manufactured product, and buy the property and commodities of all sorts that you have to sell with either the one or the other; that is to say, he can buy just as much with his sixteen ounces of silver as with his one ounce of gold.

With the billions upon billions of property existing in this country to-day and being produced in this country every year, we simply offer to exchange that which we have in abundance on a basis of one pound of gold as the equivalent of sixteen pounds of silver. We invite, then, the world to come with its silver and make the exchange. No nation now, it is true, offers in exchange for silver the gold at any fixed ratio; consequently, all the silver that is coined is used in the countries where it is coined. And why? Because no great power offers to exchange commodities for one metal or the other at any fixed ratio. That is the only trouble with silver to-day.

Now, it must be remembered that France gave an example to the world in this regard, having kept its silver on a parity with gold for a period of seventy years, on a ratio of 15½ to 1. It said to the nations of the world, "Come with your gold and your silver, fifteen and one-half ounces of silver or one ounce of gold, and you can buy all of our salable property in France and you can pay us in silver or in gold, just as you choose, on that basis." And, according to the report of the British royal commission of 1888 on that subject, France was enabled to maintain the parity of the two metals at that ratio, for the reason that she had property enough to effect exchanges on that basis. We are in the same condition.

What is it, then, that you are asked to do? It is that we, the Government of the United States, we as a people say to all the world, especially the silver-using people, all of the Asiatic nations and the Great Indies, come here with your white metal, if you choose to come, and trade with us on the basis of 16 to 1, and buy your commodities from us at that ratio. When you do that, will not the silver-using people come to our shores to make their purchases rather than go to the European powers, where they demand a ratio of 22 to 25? There can be no doubt of the answer to that question.

You at once undermine and sap the prosperity of Western Europe. You will divert from them all the trade of every silver-using country in the world, because you offer to sell those people property and commodities here that are better, and on better terms, than they can get anywhere else in the world. You say their silver will come here. Suppose it does. It will go back again, because here is the flood gate that is opened for gold and silver to come and to go with the tides of trade, of free exchange, in this the greatest country the world ever saw. It will come and it will go, and so it will continue; because we have opened up the mint, we have opened a sluice for the dam that now blockades the silver tide.

Do you suppose that England could stand that for a moment? Certainly not. What has made the manufacturers in Manchester, England, the strongest bimetallists in the world to-day? Simply the fact that they must sell their commodities in India for the India rupee. They are thus interested in the value of that silver rupee. They want to maintain it; and if all the manufacturing products of Western Europe that are sent here and sold to us are sold for silver, as they must be, or gold at our ratio, do you not see how quickly you will convert them to bimetallism? Thus you will segregate all the industrial inhabitants of Western Europe from those who live on fixed incomes,—the aristocracy, the bond holders, and the coupon clippers. That is all there is about it and we want to segregate them.

You see, then, that when we do this in this country, Western Europe must come to our standard or abandon commerce with all silver-using countries and with us. Mark that. We are the best market in the world for manufactured European products. They cannot live without this market, and they cannot keep this market unless they recognize and take our silver at the same value we take it; and they know it.

I know that the gold owners in that country and this, the bond holders and bankers, those who are living on fixed incomes, and who are living on interest, and whose business it is to loan money and to have that money increase in value from year to year—they fight this proposition as a matter of course; but I do not think they ought to do it, for ultimately I think they would be benefited, as would the industrial people of the world. They ought not to fight it. They know what I state is truth, that if this country gives free coinage of gold and silver at a fair ratio it settles the question for the world and drives the world to

bimetallism instead of gold monometallism. They know that, and hence their eagerness and determination to prevent it.

It is a fight between the standards, and this great country must settle it; and you, my friends, must think about settling it here. It is a serious question. It is not only a serious question for the American people, but we are appealed to by the oppressed in the Old World, those who have not the voice that our people in their sovereignty have.

The oppressed of the Old World are appealing to us to settle for the world this great question, and to settle for men who are seeking advantages in the stock markets, not for men who are seeking advantages in bond holding, in interest drawing, in money lending, in seeking to have money increase in value every day and every year, but for the great toiling and producing masses of the other countries as well as our own, for whom it is our proud province here to think and to legislate. They are in a panic, my friends. I want to remind you of that, and they will remind you of it when you go home, if you are not reminded of it now.

The people are watching this thing. They understand that the battle to be fought here is the battle of the standards the world over, and the man who fails now they will brand as a traitor to the cause which is intrusted to his hands. . . .

Now, I say, Mr. Speaker, the contention that we lose our gold, and that we have got to exchange gold for silver, does not hold good. It is put on the broad proposition of a nation which produces enough wealth; and where is the nation under the shining sun that compares with this growing country of ours in population and increasing development? I believe that I may yet live to see this country with nearly one hundred million inhabitants, increasing, as it does, at the rate of over a million and a half annually.

Many now born, by the time they are voters will compose part of a nation containing perhaps one hundred and twenty-five millions of people, with unsurpassed energies, with a genius nowhere equaled, and with a vast territory upon which those energies and that genius can operate. But a short time ago when you looked across the Alleghany Mountains you beheld the Western wilderness roamed only by the savage and wild beast. Today it is teeming with its millions of civilized people, and when you cross the Mississippi you just begin to enter the great domain of this country of ours, for more than two-thirds of it lies beyond the Father of Waters.

And, Mr. Speaker, it is that two-thirds of our territory, rich as it is in gold and silver, embedded together in the same deposits, in the same mountains, so that you cannot extract the one without extracting the other,—it is that portion of our territory that would give us the money that we need, the money of the world, good money, hard money, Democratic money,—a country that the civilized world must look to for its future monetary supply if it is to continue on what is called the hard-money basis. And yet we are to-day asked to do what? To lay the blighting hand of confiscation upon the millions of people inhabiting that country, to turn them out as tramps upon the land, merely to satisfy the greed of English gold.

Oh, my God, shall we do such a thing as that? Will you crush the people of your own land and send them abroad as tramps? Will you kill and destroy your own industries, and especially the production of your precious metals that ought to be sent abroad everywhere,—will you do this simply to satisfy the greed of Wall Street, the mere agent of Lombard Street, in oppressing the people of Europe and of this country? It cannot be done, it shall not be done! I speak for the great masses of the Mississippi Valley, and those west of it, when I say you shall not do it!

Any political party that undertakes to do it will, in God's name, be trampled, as it ought to be trampled, into the dust of condemnation, now and in the future. Speaking as a Democrat, all my life battling for what I conceived to be Democracy, and what I conceived to be right, I am yet an American above Democracy. I do not intend, we do not intend, that any party shall survive, if we can help it, that will lay the confiscating hand upon Americans in the interest of England or of Europe. Now, mark it. This may be strong language, but heed it. The people mean it, and, my friends of the Eastern Democracy, we bid farewell when you do that thing.

Now, you can take your choice of sustaining America against England, American interests, and American laborers and producers, or you can go out of power. We have come to the Parting of the Ways. I do not pretend to speak for anybody but myself and my constituents, but I believe that I do speak for the great masses of the great Mississippi Valley when I say that we will not submit to the domination of any political party, however much we may love it, that lays the sacrificing hand upon silver and will demonetize it in this country.

LORD BOLINGBROKE

(1678–1751)

HENRY ST. JOHN (Viscount Bolingbroke), the friend of Pope, and the most admired orator of his day in England, was born at Battersea in 1678. His great reputation as an orator is now completely beyond the reach of criticism since, according to the British Encyclopedia, not one of his speeches has come down to us. When for the purposes of this work a search was made through the parliamentary debates to test this statement, only a report attributed to him and a few sentences of debate in the third person were found to represent him. His prose writings, however, were numerous and they are still readily accessible. Professor Morley recently republished a number of his letters. He died in 1751. Heading the Tories successfully under Queen Anne, Bolingbroke, an adherent of the Stuarts, was out-generaled by the Whigs after her death, and learning that they intended to impeach him he left England, remaining abroad from 1715 to 1723. This experience suggested his celebrated 'Reflections upon Exile,' from which an extract is taken to illustrate his admirable prose style, on which it is said that Edmund Burke formed his style as an orator.

MISFORTUNE AND EXILE

DISSIPATION of mind and length of time are remedies to which the greatest part of mankind trust in their afflictions. But the first of these works a temporary, the second a slow effect; and such are unworthy of a wise man. Are we to fly from ourselves that we may fly from our misfortunes, and only to imagine that the disease is cured because we find means to get some moments of respite from pain? Or shall we expect from time, the physician of brutes, a lingering and uncertain deliverance? Shall we wait to be happy till we can forget that we are miserable, and owe to the weakness of our faculties a tranquillity which ought to be the effect of their strength? Far otherwise. Let us set all our past and present afflictions at once before our eyes. Let us resolve to overcome them, instead of

flying from them, or wearing out the sense of them by long and ignominious patience. Instead of palliating remedies, let us use the incisive knife and the caustic, search the wound to the bottom, and work an immediate and radical cure.

The recalling of former misfortunes serves to fortify the mind against later. He must blush to sink under the anguish of one wound, who survives a body seamed over with the scars of many, and who has come victorious out of all the conflicts wherein he received them. Let sighs and tears, and fainting under the slightest stroke of adverse fortune be the portion of those unhappy people whose tender minds a long course of felicity has enervated; while such as have passed through years of calamity bear up, with a noble and immovable constancy, against the heaviest. Uninterrupted misery has this good effect,—as it continually torments, it finally hardens.

Such is the language of philosophy; and happy is the man who acquires the right of holding it. But this right is not to be acquired by pathetic discourse. Our comfort can alone give it to us; and, therefore, instead of presuming on our strength, the surest method is to confess our weakness, and, without the loss of time, to apply ourselves to the study of wisdom. This was the advice which the oracle gave to Zeno, and there is no other way of securing our tranquillity amidst all the accidents to which human life is exposed.

In order to which great end, it is necessary that we stand watchful, as sentinels, to discover the secret wiles and open attacks of the capricious goddess, Fortune, before they reach us. Where she falls upon us unexpectedly, it is hard to resist; but those who wait for her will repel her with ease. The sudden invasion of an enemy overthrows such as are not on their guard; but they who foresee war, and prepare themselves for it before it breaks out, they stand, without difficulty, the first and fiercest onset. I learned this important lesson long ago, and never trusted to Fortune even while she seemed to be at peace with me. The riches, the honors, the reputations, and all the advantages which her treacherous indulgence poured upon me, I placed so that she might snatch them away, without giving me any disturbance. I kept a great interval between me and them. She took them, but she could not tear them from me. No man suffers by bad fortune, but he who has been deceived by good. If we grow fond of her gifts, fancy that they belong to us, and

are perpetually to remain with us, if we lean upon them, and expect to be considered for them, we shall sink into all the bitterness of grief, as soon as our vain and childish minds, unfraught with solid pleasures, become destitute even of those which are imaginary. But if we do not suffer ourselves to be transported by prosperity, neither shall we be reduced by adversity. Our souls will be proof against the dangers of both these states; and, having explored our strength, we shall be sure of it; for, in the midst of felicity, we shall have tried how we can bear misfortune.

It is much harder to examine and judge than to take up opinions on trust; and, therefore, the far greatest part of the world borrow from others those which they entertain concerning all the affairs of life and death. Hence, it proceeds that men are so unanimously eager in the pursuit of things which, far from having any inherent real good, are varnished over with a specious and deceitful gloss, and contain nothing answerable to their appearances. Hence, it proceeds, on the other hand, that in those things which are called evils there is nothing so hard and terrible as the general cry of the world threatens. The word "exile" comes, indeed, harsh to the ear, and strikes us like a melancholy and execrable sound, through a certain persuasion which men have habitually concurred in. Thus, the multitude has ordained. But the greatest part of their ordinances are abrogated by the wise.

Rejecting, therefore, the judgment of those who determine according to popular opinions, or the first appearances of things, let us examine what exile really is. It is, then, a change of place; and, lest you should say that I diminish the object, and conceal the most shocking parts of it, I add, that this change of place is frequently accompanied by some or all of the following inconveniences: by the loss of the estate we have enjoyed, and the rank which we held; by the loss of that consideration and power which we were in possession of; by a separation from our family and our friends; by the contempt we may fall into; by the ignominy with which those who have driven us abroad will endeavor to sully the innocence of our characters, and to justify the injustice of their own conduct.

All these shall be spoken to hereafter. In the meanwhile let us consider what evil there is in change of place, abstractedly and by itself.

To live deprived of one's country is intolerable. Is it so? How comes it, then, to pass, that such numbers of men live out of their country by choice? Observe how the streets of London and Paris are crowded. Call over those millions by name, and ask them, one by one, of what country they are; how many will you find, who, from different parts of the earth, come to inhabit these great cities, which afford the largest opportunities, and the largest encouragement to virtue and vice. Some are drawn by ambition, and some are sent by duty; many resort thither to improve their minds, and many to improve their fortunes; others bring their beauty, and others their eloquence, to market. Remove from hence, and go to the utmost extremities of the East or West; visit the barbarous nations of Africa, or the inhospitable regions of the North; you will find no climate so bad, no country so savage, as not to have some people who come from abroad and inhabit there by choice.

Among numberless extravagances which have passed through the minds of men, we may justly reckon for one that notion of a secret affection, independent of our reason, and superior to our reason, which we are supposed to have for our country; as if there were some physical virtue in every spot of ground, which necessarily produced this effect in every one born upon it. . . .

There is nothing surely more groundless than the notion here advanced, nothing more absurd. We love the country in which we were born, because we receive particular benefits from it, and because we have particular obligations to it; which ties we may have to another country, as well as to that we are born in; to our country by election, as well as to our country by birth. In all other respects, a wise man looks on himself as a citizen of the world; and, when you ask him where his country lies, points, like Anaxagoras, with his finger to the heavens. . . .

Varro, the most learned of the Romans, thought, since nature is the same wherever we go, that this single circumstance was sufficient to remove all objections to change of place, taken by itself, and stripped of the other inconveniences which attend exile. M. Brutus thought it enough that those who go into banishment cannot be hindered from carrying their virtue along with them. Now, if any one judge that each of these comforts is in itself insufficient, he must, however, confess that both of them, joined together, are able to remove the terrors of the exile. For what trifles must all we leave behind us be esteemed, in comparison

of the two most precious things which men can enjoy, and which, we are sure, will follow us wherever we turn our steps — the same nature and our proper virtue. Believe me, the Providence of God has established such an order in the world, that of all which belongs to us the least valuable parts can alone fall under the will of others. Whatever is best is safest; lies out of the reach of human power; can neither be given nor taken away. Such is this great and beautiful work of nature, the world. Such is the mind of man, which contemplates and admires the world whereof it makes the noblest part. These are inseparably ours, and as long as we remain in one we shall enjoy the other. Let us march, therefore, intrepidly wherever we are led by the force of human accidents. Wherever they lead us, on what coast soever we are thrown by them, we shall not find ourselves absolutely strangers. We shall meet with men and women, creatures of the same figure, endowed with the same faculties, and born under the same laws of nature. We shall see the same virtues and vices, flowing from the same general principles, but varied in a thousand different and contrary modes, according to that infinite variety of laws and customs which is established for the same universal end — the preservation of society. We shall feel the same revolution of the seasons, and the same sun and moon will guide the course of our year. The same azure vault, bespangled with stars, will be everywhere spread over our heads. There is no part of the world from whence we may not admire those planets which roll, like ours, in different orbits around the same central sun; from whence we may not discover an object still more stupendous, that army of fixed stars hung up in the immense space of the universe, innumerable suns whose beams enlighten and cherish the unknown worlds which roll around them; and whilst I am ravished by such contemplations as these, whilst my soul is thus raised up in heaven, it imports me little what ground I tread upon.

Change of place, then, may be borne by every man. It is the delight of many. But who can bear the evils which accompany exile? You who ask the question can bear them. Every one who considers them as they are in themselves, instead of looking at them through the false optic which prejudice holds before our eyes. For what? You have lost your estate; reduce your desires, and you will perceive yourself to be as rich as ever, with this considerable advantage to boot, that your cares will be diminished. Our natural and real wants are confined to narrow

bounds, whilst those which fancy and custom create are confined to none. Truth lies within a little and certain compass, but error is immense. If we suffer our desires, therefore, to wander beyond these bounds, they wander eternally. We become necessitous in the midst of plenty, and our poverty increases with our riches. Reduce our desires, be able to say with the apostle of Greece, to whom Erasmus was ready to address his prayers, *quam multis ipse non egeo*, banish out of your exile all imaginary, and you will suffer no real wants. The little stream which is left will suffice to quench the thirst of nature, and that which cannot be quenched by it is not your thirst but your distemper; a distemper formed by the vicious habits of your mind, and not the effects of exile. How great a part of mankind bear poverty with cheerfulness, because they have been bred in it, and are accustomed to it. Shall we not be able to acquire, by reason and by reflection, what the meanest artisan possesses by habit? Shall those who have so many advantages over him be slaves to wants and necessities of which he is ignorant? The rich, whose wanton appetites neither the produce of one country nor of one part of the world can satisfy, for whom the whole habitable globe is ransacked, for whom the caravans of the East are continually in march, and the remotest seas are covered with ships; these pampered creatures, sated with superfluity, are often glad to inhabit a humble cot, and to make a homely meal. They run for refuge into the arm of frugality. Madmen that they are, to live always in fear of what they sometimes wish for, and to fly from that life which they find it luxury to imitate. Let us cast our eyes backwards on those great men who lived in the ages of virtue, of simplicity, of frugality, and let us blush to think that we enjoy in banishment more than they were masters of in the midst of their glory, in the utmost affluence of their fortune. Let us imagine that we behold a great dictator giving audience to the Samnite ambassadors, and preparing on the hearth his mean repast with the same hand that had so often subdued the enemies of the commonwealth, and borne the triumphal laurel to the capitol. Let us remember that Plato had but three servants, and that Zeno had none. Socrates, the reformer of his country, was maintained, as Menenius Agrippa, the arbiter of his country, was buried, by contribution. While Attilius Regulus beat the Carthaginians in Africa, the flight of his plowman reduced his family to distress at home, and the tillage of his little farm

became the public care. Scipio died without leaving enough to marry his daughters, and their portions were paid out of the treasures of the State; for surely it was just that the people of Rome should once pay tribute to him who had established a perpetual tribute on Carthage. After such examples, shall we be afraid of poverty? Shall we disdain to be adopted into a family which has so many illustrious ancestors? Shall we complain of banishment for taking from us what the greatest philosophers and the greatest heroes of antiquity never enjoyed?

You will find fault, perhaps, and attribute to artifice, that I consider singly misfortunes which come altogether on the banished man, and overbear him with their united weight; you could support change of place if it was not accompanied with poverty, or poverty if it was not accompanied with the separation from your family and your friends, with the loss of your rank, consideration, and power, with contempt and ignominy. Whoever he be who reasons in this manner, let him take the following answer. The least of these circumstances is singly sufficient to render the man miserable who is not prepared for it, he who has not divested himself of that passion upon which it is directed to work. But he who has got the mastery of all his passions, who has foreseen all these accidents, and prepared his mind to endure them all, will be superior to all of them, and to all of them at once as well as singly. He will not bear the loss of his rank, because he can bear the loss of his estate; but he will bear both, because he is prepared for both; because he is free from pride as much as he is from avarice.

You are separated from your family and your friends. Take the list of them, and look it well over. How few of your family will you find who deserve the name of friends. And how few among those who are really such. Erase the names of such as ought not to stand on the roll, and the voluminous catalogue will soon dwindle into a narrow compass. Regret, if you please, your separation from this small remnant. Far be it from me, whilst I declaim against a shameful and vicious weakness of mind, to proscribe the sentiments of a virtuous friendship. Regret your separation from your friends, but regret it like a man who deserves to be theirs. This is strength, not weakness of mind; it is virtue, not vice.

But the least uneasiness under the loss of the rank which we held is ignominious. There is no valuable rank among men,

but that which real merit assigns. The princes of the earth may give names, and institute ceremonies, and exact the observation of them; their imbecility and their wickedness may prompt them to clothe fools and knaves with robes of honor, and emblems of wisdom and virtue; but no man will be in truth superior to another, without superior merit; and that rank can no more be taken from us than the merit which establishes it. The supreme authority gives a fictitious and arbitrary value to coin, which is therefore not current alike at all times and in all places; but the real value remains invariable, and the provident man, who gets rid as soon as he can of the drossy piece, hoards up the good silver. This merit will not procure the same consideration universally. But what then? the title to this consideration is the same, and will be found alike in every circumstance by those who are wise and virtuous themselves. If it is not owned by such as are otherwise, nothing is, however, taken from us; we have no reason to complain. They considered us for a rank which we had; for our denomination, not for our intrinsic value. We have that rank, that denomination no longer; and they consider us no longer; they admire in us what we admire not in ourselves. If they learn to neglect, let us learn to pity them. Their assiduity was importunate; let us not complain of the ease which this change procures us; let us rather apprehend the return of that rank and that power, which, like a sunny day, would bring back these little insects, and make them swarm once more about us. I know how apt we are, under specious pretenses, to disguise our weaknesses and our vices, and how often we succeed, not only in deceiving the world, but even in deceiving ourselves. An inclination to do good is inseparable from a virtuous mind, and, therefore, the man who cannot bear with patience the loss of that rank and power which he enjoyed may be willing to attribute his regrets to the impossibility which he supposes himself reduced to of satisfying this inclination. But let such an one know that a wise man contents himself with doing as much good as his situation allows him to do; that there is no situation wherein we may not do a great deal; and that, when we were deprived of greater powers to do more good, we escape at the same time the temptation of doing some evil.

The inconveniences which we have mentioned carry nothing along with them difficult to be borne by a wise and virtuous man; and those which remained to be mentioned, contempt and

ignominy, can never fall to his lot. It is impossible that he who reverences himself should be despised by others, and how can ignominy affect the man who collects all his strength within himself, who appeals from the judgment of the multitude to another tribunal, and lives independent of mankind and the accidents of life? Cato lost the election of prætor, and that of consul; but is any one blind enough to truth to imagine that these repulses reflected any disgrace on him? The dignity of those two magistracies would have been increased by his wearing them. They suffered, not Cato. . . .

Ignominy can take no hold upon virtue; for virtue is in every condition the same, and challenges the same respect. We applaud the world when she prospers, and when she falls into adversity we still applaud her. Like the temples of the gods she is venerable even in her ruins. After this, must it not appear a degree of madness to defer one moment acquiring the only arms capable of defending us against the attacks which at every moment we are exposed to? Our being miserable, or not miserable, when we fall into misfortunes, depends on the manner in which we have enjoyed prosperity. If we have applied ourselves betimes to the study of wisdom, and to the practice of virtue, these evils become indifferent; but if we have neglected to do so they become necessary. In one case they are evils, in the other they are remedies for greater evils than themselves. Zeno rejoiced that a shipwreck had thrown him on the Athenian coast, and he owed to the loss of his fortune the acquisition which he made of virtue, of wisdom, of immortality. There are good and bad airs for the mind as well as the body. Prosperity often irritates our chronical distempers, and leaves no hopes of finding any specific but in adversity. In such cases banishment is like change of air, and the evils we suffer are like rough medicines applied to inveterate diseases. What Anacharsis said of the vine may aptly enough be said of prosperity. She bears the three grapes of drunkenness, of pleasure, and of sorrow; and happy it is if the last can cure the mischief which the former work. When afflictions fail to have their due effect, the case is desperate. They are the last remedy which indulgent Providence uses; and, if they fail, we must languish and die in misery and contempt. Vain men, how seldom do we know what to wish or to pray for. When we pray against misfortunes, and when we fear them most we want them most. It was for this reason that

Pythagoras forbade his disciples to ask anything in particular of God. The shortest and best prayer which we can address to him, who knows our wants and our ignorance in asking, is this: Thy will be done.

PATRIOTISM

NEITHER Montaigne in writing his 'Essays,' nor Descartes in building new worlds, not Burnet in framing an antediluvian earth, no, nor Newton in discovering and establishing the true laws of nature on experiment and a sublimer geometry, felt more intellectual joys than he feels who is a real patriot, who bends all the force of his understanding, and directs all his thoughts and actions to the good of his country. When such a man forms a political scheme, and adjusts various and seemingly independent parts in it to one great and good design, he is transported by imagination, or absorbed in meditation, as much and as agreeable as they; and the satisfaction that arises from the different importance of these objects, in every step of the work, is vastly in his favor. It is here that the speculative philosopher's labor and pleasure end. But he who speculates in order to act, goes on and carries his scheme into execution. His labor continues, it varies, it increases; but so does his pleasure, too. The execution, indeed, is often traversed by unforeseen and untoward circumstances, by the perverseness and treachery of friends, and by the power and malice of enemies; but the first and last of these animate, and the docility and fidelity of some men make amends for the perverseness and treachery of others. Whilst a great event is in suspense, the action warms, and the very suspense, made up of hope and fear, maintains no unpleasing agitation in the mind. If the event is decided successfully, such a man enjoys pleasure proportionable to the good he has done — a pleasure like to that which is attributed to the Supreme Being on a survey of his works. If the event is decided otherwise, and usurping courts or overbearing parties prevail, such a man has still the testimony of his conscience, and a sense of the honor he has acquired, to soothe his mind and support his courage. For although the course of State affairs be to those who meddle in them like a lottery, yet it is a lottery wherein no good man can be a loser; he may be reviled, it is true, instead of being applauded, and may suffer violence of many kinds. I

will not say, like Seneca, that the noblest spectacle which God can behold is a virtuous man suffering, and struggling with afflictions; but this I will say, that the second Cato, driven out of the forum and dragged to prison, enjoyed more inward pleasure, and maintained more outward dignity, than they who insulted him, and who triumphed in the ruin of their country.

ST. BONAVENTURA

(1221–1274)

ST. BONAVENTURA, celebrated as one of the great preachers of the Franciscan order and one of the greatest doctors of the Western church, was born in Tuscany in 1221. He studied under St. Francis and, on going to Paris, under the "Irrefragable Doctor," Alexander Hales, who said of him, "I think Adam could not have sinned in that young man." Entering the Franciscan order at twenty-three years of age, he was promoted step by step until he became Cardinal Bishop of Albano. In the Council of Lyons and thereafter he did much to effect the union of the Eastern and Western churches, attempted with some promise of permanent success at that time. He died in June 1274. The celebrity which his sermons gave him during the Middle Ages makes them interesting as examples of the style and taste of his time.

THE LIFE OF SERVICE

WE MAY notice that Jesus Christ proposed to us in the Gospel four very notable things to be received, namely: the Cross, in the chastisement of our evil natures; his Body in Sacramental Communion; the Holy Ghost in mental unction; the Penny in eternal remuneration.

The Cross is the mortification of the flesh; they that are Christ's have crucified the flesh with its affections and lusts. He takes up the Cross who accepts a penance, who enters into religion, who determines to pass through the sea of this world into the Holy Land, that is, the Land of the Living; and he receives the remission of all his sins. There are four things which urge us to take up this Cross. The first is the irrefutable example of our Lord Jesus Christ; "If any man will come after me, let him deny himself and take up his Cross." For it is a glorious thing that the servants should be configured to the likeness of their Lord. The second is invincible help; for the Lord is the helper of them that are signed with the Cross. The Psalmist says: "Thou, Lord, hast holden me and comforted me." Thou hast holden me against the evil of sin, and hast comforted me against the evil of punishment. Wherefore, when the sign of the Cross

appears in a church, there also has been the anointing with oil, because there ought to be in ourselves external triumph and internal unction. Many see our Cross, but see not our unction.

The third is inviolable privilege. For the privilege of them that have taken the Cross is to be in the special guardianship of the Pope. But this is often violated; it is not so in our Cross; stay not the men on whom ye find the sign Tau. From henceforth, let no man trouble me, for I bear in my body the marks of the Lord Jesus. The fourth is a reward that cannot be lost. Many return from the Holy Land, who, by negligence and evil living, lose their reward. It is not so with those that are here signed; they that were sealed out of every people stood before the throne. On this Cross, O Christian soul, thou must hang without intermission, as Christ did, who would not be taken down from the Cross while he lived. So neither must thou be from thy life of penitence or of religion. Let us listen to no one, brethren, neither to man nor to spirit, who would persuade us to come down from the Cross; let us persist in remaining on the Cross, let us die on the Cross, let us be taken down by the hands of others and not by our own, after his example who said on the Cross, "It is finished." So do thou also remain to the end on the Cross, and thus at the termination of thy life, when thou art about to give up the ghost, thou mayest say: "It is finished; I have kept the rule which I vowed, obedience, penitence, the commandments of God, I have kept them all, I have fought a good fight, I have finished my course."

Of the second: Take, eat, this is my body. But in what manner we are to receive the body of Jesus, we read: and when Joseph had received the body, he wrapped it in a clean linen cloth. Thou must, therefore, receive from the altar the body of Jesus with the same fervor and devotion with which Joseph received it from the Cross. The altar, by its four corners, sets forth the Cross. Thus do thou wrap our Lord's body in clean linen. "He wraps Jesus in clean linen, who receives him with a pure mind." Now purity is well set forth by linen, which is in its nature most white, and thereby sets forth how pure we should be in our souls. It is written: "Her Nazarites were purer than snow, they were whiter than milk." Purity of heart is the milk, by which God and the angels are delighted. A fly or dust shows itself at once in milk; so in a pure conscience, any, the smallest stain, cannot be hid. And, as a fly is quickly cast forth by any

one who is drinking milk, so the busy fly of impure thought is cast out from a pure conscience. Much it displeases the devil, much it pleases God and the angels, when you eject the fly of the devil from the milk of the heart. "It is the part of demons to inject evil thoughts; it is our part not to consent to them." For, as often as we resist, we conquer the devil, we glorify the angels, we honor God; it is impossible to say how great is the joy of the angels when one heart is converted to God; so on the other hand, neither can we express the grief with which demons are then afflicted, they, who are ever lying in ambush to deprive us of our salvation.

Of the third it is thus written: Receive the Holy Ghost. The Holy Ghost is here given to the Disciples when the doors were shut, as the oil was multiplied in the vessels borrowed from the neighbors when the doors were also shut. Note the history. The oil is the grace of the Holy Ghost. In the Psalm it is said: "God, even thy God, hath anointed thee with the oil of gladness." Vessels which are lifted by the hand are the virtue and examples for which we look in the saints who now dwell in this world, and which we collect into the house of our soul, as if we borrowed vessels from our neighbors; but those vessels are empty, so far as we are concerned, if we imitate not those examples of the saints by the grace of the Holy Ghost. Whereas, on the other hand, the virgins that were wise took oil in their lamps, as it is written. "The doors of our senses are sight, taste, hearing, touch, smell, and thy mouth is the gate." Unless these doors be cleansed against unlawful thoughts, the oil of grace will not be multiplied in the house of thy soul. Enter into the closet of thy mind and shut the door on all things except the Lord, and that which assists in seeking him.

Of the fourth: They likewise received every man a penny. The penny is eternal life, which is not given save to those who labor in the vineyard, that is in penitence or religion; in which vineyard we must not only labor, but also triumph over that lion the devil, which is prefigured in Samson; then Samson came to the vineyard of Timnath, and behold a young lion roared against him. That lion he conquered, and afterwards found honey in his mouth. Honey is the sweetness of the consolation of the Holy Ghost. "My spirit is sweeter than honey." You see then that the honey of grace is not given save to them that fight, nor is the penny of glory bestowed save on them who labor in the vineyard.

JACQUES BÉNIGNE BOSSUET.

Reproduced from an exquisite old copperplate by Masson, after the painting by Rigaud. Bossuet is portrayed in his Episcopal robes as Bishop of Meaux.

JACQUES BÉNIGNE BOSSUET

(1627–1704)

MONG the funeral orations of Bossuet, who is sometimes ranked with Mirabeau at the head of the list of French orators, two are most admired — that over the great Prince of Condé, and that which he delivered on the death of Henrietta of England. "As the orator advances," says one of his critics, speaking of the former oration, "he gathers strength by the force of his movements; his thoughts bound and leap like the quick, impetuous sallies of the warrior whom he describes; his language glows and sparkles, rushes and rejoices like a free and bounding river, sweeping in beauty through the open champaign, gathering volume and strength from tributary streams, glancing through green meadows and dark woodlands, rushing through forests and mountains, and finally plunging with resistless force and majesty into the open sea."

It does not seem that oratory worthy to inspire so magnificent an eulogy as this could have higher merits than those thus marshalled and brought to climax. But the compliment, high as it is, fails to do justice to that which is greatest in Bossuet — to that which can follow him into every language into which he is translated, and so make him a model for the writers as well as for the speakers of every country. This supreme merit is his delicacy. "All great art is delicate art," writes John Ruskin, and Bossuet illustrates the meaning of this profound law of effectiveness in saying of the Prince of Condé: "When a favor was asked of him, it was he that appeared obliged." It is easy enough for one who has mastered the first secrets of language to imitate the Ciceronian array of clauses in which one phalanx of words after another moves forward to complete an already assured conquest. It is not wholly impossible even for one who is not great to attain something of the style by virtue of which Taine commands words with the same perfect mastery of rank on rank, corps on corps, which Napoleon showed in the handling of men. And this is art. But it is not the greatest art. We may be awed by the storm into fear and contempt of self; but after the hurricane is stilled, after the clouds have passed, after the night has grown silent — it is then that the sublimity of the stars can appeal to us to recognize in ourselves our kinship with all that is best and highest in the universe. And it is to this highest quality in us that Bossuet

appeals with the wonderful delicacy of genius in saying of Condé: "When a favor was asked of him, it was *he* that appeared obliged." We feel at once that if this had not been true, it could not have been imagined as possible, and that it could have been possible only in a life of the highest order.

It is remarkable that France should have had as contemporaries three such orators as Bossuet, Fénelon, and Bourdaloue. It has been said in comparing them that Bourdaloue spoke to the understanding, Bossuet to the imagination, and Fénelon to the heart. If this were true, it would give the palm of highest effectiveness to Fénelon who, indeed, is still known to thousands of actual readers where Bossuet is known to hundreds. But to Bossuet the palm of art would remain, for it was only Bossuet who could have said of such a man as Condé, so as to make us think it of Condé himself and yet recognize the propriety of not having so sublime a compliment paid directly to any man, that his glory followed him everywhere, and that when all alone, he appeared as great and as worthy of respect as when he gave the word of command to vast armies.

Bossuet was born at Dijon, September 27th, 1627, of a respectable family of bourgeois rank. He was educated from his earliest years for the Church. He learned the art of expression from its greatest master, Homer, for whose poems and those of Virgil he developed a fondness in youth which he never lost. His love for Homer was exceeded only by that which made him so great a student of the Bible that Lamartine says he had it "transfused into him." A man of many books, it was to these three that he reverted always, and they made him great, as they have made so many others. It is strange that men as diverse as Bossuet and Samuel Houston, the one speaking in full canonicals to French nobles and court beauties; the other, in his hunting shirt, haranguing American frontiersmen, should have been governed by the same taste in literature, and should have been formed so largely on the same models.

Bossuet began to be celebrated as soon as he began to preach. In his thirty-fifth year he appeared before Louis XIV., who immediately after the close of the sermon sent a messenger to congratulate the elder Bossuet "on having such a son." He became tutor to the Dauphin, and wrote for his use the 'Discourse on Universal History' and several other works of minor importance. His 'Exposition of Catholic Doctrine' was published about 1671, and his 'Defense of the Doctrine of the Clergy of France' was written some ten years later, though not published until 1735. His celebrated controversy with Fénelon is thought by some even of his admirers to have added less to his credit than to that of his great rival. He died at Paris, April 12th, 1704.

W. V. B.

FUNERAL ORATION OVER THE PRINCE OF CONDÉ

(Delivered before Louis XIV.)

At the moment that I open my lips to celebrate the undying glory of Louis Bourbon, Prince of Condé, I find myself equally overwhelmed by the greatness of the subject, and, if permitted to avow it, by the uselessness of the task. What part of the habitable world has not heard of the victories of the Prince of Condé, and the wonders of his life? Everywhere they are rehearsed. The Frenchman, in extolling them, can give no information to the stranger. And although I may remind you of them to-day, yet, always anticipated by your thoughts, I shall have to suffer your secret reproach for falling so far below them. We feeble orators can add nothing to the glory of extraordinary souls. Well has the sage remarked that their actions alone praise them; all other praise languishes by the side of their great names. The simplicity of a faithful narrative alone can sustain the glory of the Prince of Condé. But expecting that history, which owes such a narrative to future ages, will make this appear, we must satisfy, as we can, the gratitude of the public, and the commands of the greatest of kings. What does the empire not owe to a prince who has honored the house of France, the whole French name, and, so to speak, mankind at large! Louis the Great himself has entered into these sentiments. After having mourned that great man, and given by his tears, in the presence of his whole court, the most glorious eulogy which he could receive, he gathers together in this illustrious temple whatever is most august in his kingdom, to render public acknowledgments to the memory of the Prince; and he desires that my feeble voice should animate all these mournful signs — all this funeral array. Let us then subdue our grief and make the effort.

But here a greater object, and one more worthy of the pulpit, presents itself to my thoughts. God it is who makes warriors and conquerors. "Thou," said David, "hast taught my hands to war, and my fingers to fight." If he inspires courage he gives no less other great qualities, natural and supernatural, both of the mind and heart. Everything comes from his powerful hand, from heaven he sends all generous sentiments, wise counsels, and good thoughts. But he would have us to distinguish between the

gifts which he abandons to his enemies and those which he reserves for his servants. What distinguishes his friends from all others is piety; until that gift of heaven is received, all others are not only useless, but aid the ruin of those whom they adorn. Without this inestimable gift of piety, what were the Prince of Condé, with all his great heart and lofty genius? No, my brethren, if piety had not consecrated his other virtues, neither these princes would have found any solace for their grief, nor that venerable prelate any confidence in his prayers, nor myself any support for the praises which are due to so great a man. Under the influence of such an example, let us lose sight of all human glory! Destroy the idol of the ambitious! Let it fall prostrate before these altars! On this occasion, group together — for we can do it with propriety — the highest qualities of an excellent nature, and to the glory of truth exhibit in a prince universally admired whatever constitutes the hero and carries the glory of the world to the loftiest eminence, valor, magnanimity, and natural goodness — qualities of the heart; vivacity and penetration, grandeur of thought, and sublimity of genius — qualities of the intellect; all would be nothing but an illusion, if piety were not added — piety, which indeed is the whole of man! This it is, messieurs, which you see in the life, eternally memorable, of the high and illustrious Prince Louis Bourbon, Prince of Condé, Prince of the blood!

God has revealed to us that he alone makes conquerors, that he alone causes them to subserve his designs. Who made Cyrus but God, who, in the prophecies of Isaiah, named him two hundred years before his birth? "Thou hast not known me," said he to him, "but I have even called thee by thy name, and surnamed thee. I will go before thee and make the crooked places straight; I will break in pieces the gates of brass, and cut in sunder the bars of iron. I am the Lord, and there is none else, there is no God beside me. I form the light and create darkness"; as if he had said, "I the Lord do everything, and from eternity know everything that I do." Who could have formed an Alexander but the same God who made him visible from afar to the prophet Daniel, and revealed by such vivid images his unconquerable ardor? "See," said he, "that conqueror, with what rapidity he advances from the west, as it were by bounds and without touching the earth." Resembling, in his bold movements and rapid march, certain vigorous and bounding animals, he advances, only by quick and impetuous attacks, and is arrested

neither by mountains nor precipices. Already the King of Persia falls into his power. At sight of him, he is "moved with anger — rushes upon him, stamps him under his feet; none can defend him from his attacks, or deliver him out of his hand." Listening only to these words of Daniel, whom do you expect to see under that image — Alexander or the Prince of Condé? God had given him that indomitable valor for the salvation of France during the minority of a king of four years. But let that king, cherished of heaven, advance in life, everything will yield to his exploits. Equally superior to his friends and his enemies, he will hasten now to employ, now to surpass his most distinguished generals; and under the hand of God, who will ever befriend him, he will be acknowledged the firm bulwark of his kingdom. But God had chosen the Duke d'Enghien to defend him in his childhood. Thus, during the first years of his reign, the duke conceived a design which the most experienced veterans could not achieve; but victory justified it before Rocroy! True, the hostile army is the stronger. It is composed of those old bands of Valonnaise, Italians, and Spaniards, which never till then were broken. But how much could be counted on the courage which inspired our troops, the pressing necessity of the State, past advantages, and a prince of the blood who carried victory in his eyes! Don Francisco de Mellos steadily waits his approach; and, without the possibility of retreating, the two generals and their armies had chosen to shut themselves in by woods and marshes, in order to decide their quarrels like two warriors, in close combat. Then, what was seen? The young Prince appeared another man! Moved by so great an object, his mighty soul revealed itself entire; his courage increased with his peril, his sagacity with his ardor. During the night, which must be spent in presence of the enemy, like a vigilant general, he was the last to retire; yet never did he repose more peacefully. In the prospect of so great a day, and his first battle, he is tranquil; so much is he in his element; for well is it known that on the morrow, at the appointed time, he must awake from his profound slumber — another Alexander! See him, as he flies, either to victory or to death. As soon as he has conveyed from rank to rank the ardor which animates himself, he is seen, almost at the same time, attacking the right wing of the enemy; sustaining ours about to give way; now rallying the half-subdued Frenchman, now putting to flight the victorious Spaniard; carrying

terror everywhere, and confounding with his lightning glance those who had escaped his blows. But that formidable infantry of the Spanish army, whose heavy and wedged battalions, resembling so many towers,—towers which had succeeded in repairing their breaches,—remained immovable in the midst of all others in disorder, and from all sides kept up a steady fire. Thrice the young conqueror attempted to break these intrepid warriors; thrice was he repulsed by the valorous Count de Fontaine, who was borne in his carriage, and, notwithstanding his infirmities, proved that the warrior spirit is master of the body which it animates. In vain does Bek, with his fresh cavalry, endeavor to rush through the wood to fall on our exhausted soldiers; the Prince has prevented him; the routed battalions demand quarter; but victory is more disastrous to the Duke d'Enghien than conflict itself. As he advances with an assured air to receive the parole of those brave men, they, ever on their guard, are seized with the fear of being surprised by a new attack; their terrible discharge renders our army furious; nothing is seen but carnage; blood maddens the soldier; until that great Prince, who could not slaughter those lions like timid sheep, calmed their excited courage, and joined to the pleasure of conquering that of pardoning his enemies. What then was the astonishment of those veteran troops and their brave officers when they saw that there was no safety but in the arms of the conqueror! With what wonder did they look upon that young Prince, whose victory had enhanced his lofty bearing, and whose clemency added to it a new charm! Ah, how willingly would he have saved the brave Duke de Fontaine! But he was found prostrate among thousands of the dead, of whom Spain yet feels the loss. She knew not that the Prince who had destroyed so many of her veteran regiments on the field of Rocroy would complete their subjugation on the plains of Lens. Thus the first victory was the pledge of many more. The Prince bends the knee, and on the battlefield renders back to the God of armies the glory which he had conferred. There they celebrated Rocroy delivered, the threatenings of a formidable army turned to shame, the regency established, France in repose, and a reign, destined to such prosperity, begun by an omen so happy. The army commenced the thanksgiving: all France followed. The first achievement of the Duke d'Enghien was extolled to the skies. Such an event was enough to render illustrious any other life; but in his case, it was but the first step in his career.

From that first campaign, after the taking of Thionville, noble fruit of the victory at Rocroy, he passed for a general equally invincible in sieges and battles. But observe in this young Prince what is not less beautiful than victory. The court, which had prepared for him the applause which he merited, was astonished at the manner in which he received it. The queen-regent testified to him that the king was satisfied with his services. In the mouth of the sovereign, that was a recompense worthy of his toils. But if others ventured to praise him, he rejected their praises as offensive. Intractable to flattery, he dreaded its very appearance. Such was the delicacy, or rather such was the good sense of the Prince. His maxim was — and you will please to notice it, for it is the maxim which makes great men — that in great actions our only care ought to be to perform well our part, and let glory follow virtue. This he inspired in others, this he *followed* himself, so that he was never tempted by false glory; everything in him tended to the true and the great. Whence it followed that he placed his glory in the service of the king and the prosperity of the State. This was the fundamental principle of his life — this engrossed his last and most cherished feelings. The court could scarcely hold him, though he was the object of its admiration. He must show himself everywhere, to Germany as to Flanders, the intrepid defender given us by God. Here direct your special attention. A contest awaits the Prince more formidable than Rocroy: to prove his virtue, war is about to exhaust all its inventions, all its efforts. What object presents itself to my eyes? Not only men to combat, but inaccessible mountains, ravines, and precipices on one side; on the other an impenetrable wood, the bottom of which is a marsh; behind, streams and prodigious intrenchments; everywhere lofty forts, and leveled forests traversed by frightful roads; in the midst Merci with his brave Bavarians, flushed with such distinguished success, and the taking of Fribourg; — Merci, whom the Prince of Condé and the vigilant Turenne had never surprised in an irregular movement, and to whom they rendered the distinguished testimony that he never lost a favorable opportunity, and never failed to foresee their plans, as if he had assisted at their councils. Here, during eight days, and in four different attacks, was seen all that could be endured and undertaken in war. Our troops seemed disheartened as much by the resistance of the enemy as by the frightful disposition of the ground; and the

Prince at times saw himself almost abandoned. But like another Maccabeus, «his own arm never failed him»; and his courage, excited by so many perils, «brought him succor.» No sooner was he seen the first to force those inaccessible heights, than his ardor drew all others after him. Merci sees his destruction certain: his best regiments are defeated; the night saves the remains of his army. But what excessive rains also come to the enemy's aid, so that we have at once not only courage and art, but all nature to contend with; what advantage of this is taken by a bold and dexterous enemy, and in what frightful mountain does he anew intrench himself! But, beaten on all sides, he must leave, as booty to the Duke d'Enghien, not only his cannon and baggage, but also all the regions bordering on the Rhine. See how the whole gives way. In ten days Philisbourg is reduced, notwithstanding the approach of winter, Philisbourg, which so long held the Rhine captive under our laws, and whose loss the most illustrious of kings has so gloriously repaired. Worms, Spire, Mayence, Landau, and twenty other places of note open their gates. Merci can not defend them, and no longer appears before his conqueror. But this is not enough; he must fall at his feet, a victim worthy of his valor: Nordlingen shall see his fall;—then shall it be decided that their enemies cannot stand before the French, either in Germany or Flanders; and there shall it be seen, that to the Prince all these advantages are due. God, the Protector of France and of a king, whom he has destined for his mighty works, ordains it thus.

By such arrangements, everything appeared safe under the conduct of the Duke d'Enghien; and without wishing to spend the day in recounting his other exploits, you know that among so many places attacked not one escaped his hands; and thus the glory of the Prince continued to rise. Europe, which admired the noble ardor by which he was animated in his battles, was astonished to perceive that he had perfect self-control; and that at the age of twenty-six years, he was as capable of managing his troops as of urging them into perils; of yielding to fortune as of causing it to subserve his designs. In all situations he appears to us one of those extraordinary men who force all obstacles. The promptitude of his action leaves no time for its contravention. Such is the character of conquerors. When David, himself a great warrior, deplored the death of two captains, he gave them this eulogy: «They were swifter than eagles, they

were stronger than lions." Such is the very image of the Prince whom we deplore. Like lightning, he appeared at the same time in different and distant places. He was seen in all attacks, in all quarters. When occupied on one side, he sends to reconnoitre the other; the active officer who conveys his orders is anticipated, and finds all reanimated by the presence of the Prince. He seems to multiply himself in action; neither fire nor steel arrests his progress. No need has he to arm his head exposed to so many perils; God is his assured armor; blows lose their force as they reach him, and leave behind only the tokens of his courage and of the protection of heaven. Tell him not that the life of the first prince of the blood, so necessary to the State, ought to be spared; he answers that such a prince, more interested by his birth in the glory of the king and crown, ought, in the extremity of the State, more readily than all others to devote himself to its recovery. After having made his enemies, during so many years, feel the invincible power of the king, were it asked, What did he do to sustain it at home? I would answer, in a word, he made the regent respected. And since it is proper for me once for all to speak of those things respecting which I desire to be forever silent, it may be stated that up to the time of that unfortunate imprisonment, he had never dreamed that it was possible for him to attempt anything against the State; and to his honor be it said, if he desired to secure a recompense, he desired still more to merit it. It was this which caused him to say — and here I can confidently repeat his words, which I received from his own lips, and which so strikingly indicate his true disposition — that "he had entered that prison the most innocent of men, and that he had issued from it the most culpable. Alas!" said he, "I lived only for the service of the king, and the honor of the State." Words which indicate a sincere regret for having been carried so far by his misfortunes. But without excusing what he himself so strongly condemned, let us say, so that it may never again be mentioned, that as in celestial glory the faults of holy penitents, covered by what they have done to repair them, and the infinite compassion of God, never more appear, so in the faults so sincerely acknowledged, and in the end so gloriously repaired by faithful services, nothing ought to be remembered but the penitence of the Prince, and the clemency of his sovereign who has forgotten them.

However much he was involved in those unfortunate wars, he has at least this glory, never to have permitted the grandeur of his house to be tarnished among strangers. Notwithstanding the majesty of the empire, the pride of Austria, and the hereditary crowns attached to that house, particularly in the branch which reigns in Germany, even when a refugee at Namur, and sustained only by his courage and reputation, he urged the claims of a Prince of France and of the first family in the world so far that all that could be obtained from him was his consent to treat upon equality with the archduke, through a brother of the emperor, and the descendant of so many emperors, on condition that the prince in the third degree should wear the honors of the "Low Countries." The same treatment was secured to the Duke d'Enghien; and the house of France maintained its rank over that of Austria even in Brussels. But mark what constitutes true courage. While the Prince bore himself so loftily with the archduke who governed, he rendered to the King of England and the Duke of York, now so great a monarch, but then unfortunate, all the honors which were their due; and finally he taught Spain, too disdainful, what that majesty was which misfortune could not tear from princes. The rest of his conduct was not less distinguished. Amid the difficulties which his interests introduced into the treaty of the Pyrenees, hear what were his orders, and see whether any one ever acted so nobly, with reference to his own interests. He wrote to his agents in the conference, that it was not right that the peace of Christendom should be postponed for his sake; that they might take care of his friends, but must leave him to his fate. Ah, what a noble victim thus sacrificed himself for the public good! But when things changed, and Spain was willing to give him either Cambray and its environs, or Luxembourg in full sovereignty, he declared that to these advantages, and all others, however great, which they could give him, he preferred — what? His duty and the good-will of the king! This formed the ruling passion of his heart. This he was incessantly repeating to the Duke d'Enghien, his son. Thus did he appear himself! France beheld him, in these last traits, returning to her bosom with a character ennobled by suffering, and more than ever devoted to his king and country. But in those first wars he had but one life to offer; now he has another which is dearer to him than his own. After having, under his father's

example, nobly finished his studies, the Duke d'Enghien is ready to follow him to the battlefield. Not content with teaching him the art of war by his instructions, he conducts him to living lessons and actual practice. Leave we the passage of the Rhine, the wonder of our age, and the life of Louis the Great. In the field of Senef, although he commanded, as he had already done in other campaigns, he learned war by the side of his father, in the most terrible conflicts. In the midst of so many perils, he sees the Prince thrown down in a trench, under a horse covered with blood. While offering him his own and raising him from the trench, he is wounded in the arms of his affectionate father, but without discontinuing his kind offices, delighted with the opportunity of satisfying at once his filial piety and love of glory. How could the Prince fail to think that nothing was wanting to that noble son but opportunities, to achieve the greatest things. Moreover his tenderness increased with his esteem.

But not only for his son and his family did he cherish such tender sentiments. I have seen him (and do not imagine that I exaggerate here) deeply moved with the perils of his friends; I have seen him, simple and natural, change color at the recital of their misfortunes, entering into their minutest as well as most important affairs, reconciling contending parties, and calming angry spirits with a patience and gentleness which could never have been expected from a temper so sensitive, and a rank so high. Far from us be heroes without humanity! As in the case of all extraordinary things, they might force our respect and seduce our admiration, but they could never win our love. When God formed the heart of man he planted goodness there, as the proper characteristic of the Divine nature, and the mark of that beneficent hand from which we sprang. Goodness, then, ought to be the principal element of our character, and the great means of attracting the affection of others. Greatness, which supervenes upon this, so far from diminishing goodness, ought only to enable it, like a public fountain, to diffuse itself more extensively. This is the price of hearts! For the great whose goodness is not diffusive, as a just punishment of their haughty indifference, remain forever deprived of the greatest good of life, the fellowship of kindred souls. Never did man enjoy this more than the Prince of whom we are speaking. Never did one less fear that familiarity would diminish respect. Is this the man that stormed cities and gained battles? Have I forgotten

the high rank he knew so well to defend. Let us acknowledge the hero, who, always equal to himself, without rising to appear great, or descending to be civil and kind, naturally appeared everything that he ought to be toward all men, like a majestic and beneficent river, which peacefully conveys from city to city the abundance which it has spread through the countries it waters; which flows for the benefit of all, and rises and swells only when some violent opposition is made to the gentle current which bears it on its tranquil course. Such was the gentleness and such the energy of the Prince of Condé. Have you an important secret? Confide it freely to that noble heart; your affair becomes his by that confidence. Nothing was more inviolable to that Prince than the rights of friendship. When a favor was asked of him, it was he that appeared obliged; and never was his joy so natural or lively as when he conferred pleasure upon others. The first money which, by the permission of the king, he received from Spain, notwithstanding the necessities of his exhausted house, was given to his friends, although he had nothing to hope from their friendship after the peace. Four hundred thousand crowns, distributed by his orders — rare instance of generosity — showed that gratitude was as powerful in the Prince of Condé as selfishness is in most men. With him virtue was ever its own reward. He praised it even in his enemies. Whenever he had occasion to speak of his actions, and even in the communications which he sent to the court, he extolled the wise counsels of one and the courage of another; the merits of none were overlooked; and in his anxiety to do others justice he never seemed to find a place for what he had done himself. Without envy, without disguise or pretension; equally great in action and in repose, he appeared at Chantilly as he did at the head of his troops. Whether he embellished that magnificent and charming home, whether he planted his camp, or fortified a place in the midst of a hostile country — whether he marched with an army amid perils, or conducted his friends through superb alleys to the noise of falling fountains silent neither by day nor night, he was always the same man; his glory followed him everywhere. How delightful, after the contest and tumult of arms, to be able to relish those peaceful virtues and that tranquil glory which none can share with the soldier more than with fortune; where one can pursue the great end of life without being stunned with the noise of trumpets, the roar of cannons, or the cries of the

wounded; and when all alone, man appears as great, and as worthy of respect as when he gives the word of command, and whole armies do his bidding.

Let us now look at the qualities of his intellect; and since, alas! that which is most fatal to human life, namely, the military art, admits of the greatest genius and talent, let us in the first place consider the great genius of the Prince with reference to that department. And in the first place what general ever displayed such far-reaching foresight? One of his maxims was, that we ought to fear enemies at a distance, in order not to fear them near at hand — nay more, to rejoice in their approach. See, as he considers all the advantages which he can give or take, with what rapidity he comprehends times, places, persons, and not only their interests and talents, but even their humors and caprices! See how he estimates the cavalry and infantry of his enemies, by the nature of the country, or the resources of the confederated princes! Nothing escapes his penetration. With what prodigious comprehension of the entire details and general plan of the war, he is ever awake to the occurrence of the slightest incident; drawing from a deserter, a prisoner, a passer-by, what he wishes him to say or to conceal, what he knows, and, so to speak, what he does not know, so certain is he in his conclusions. His patrols repeat to him the slightest things: he is ever on the watch, for he holds it as a maxim, that an able general may be vanquished, but ought never to suffer himself to be surprised. And it is due to him to say that this never occurred in his case. At whatever, or from whatever quarter his enemies come, they find him on his guard, always ready to fall upon them and take advantage of their position; like an eagle, which, whether soaring in mid air, or perched upon the summit of some lofty rock, sweeps the landscape with his piercing eyes, and falls so surely upon his prey, that it can neither escape his talons nor his lightning glance. So keen his perception, so quick and impetuous his attack, so strong and irresistible the hands of the Prince of Condé. In his camp vain terrors, which fatigue and discourage more than real ones, are unknown. All strength remains entire for true perils; all is ready at the first signal, and, as saith the prophet, "All arrows are sharpened, all bows bent." While waiting, he enjoys as sound repose as he would under his own roof. Repose, did I say? At Pieton, in the presence of that formidable army which three united powers had assembled, our

troops indulged in constant amusements, the whole army was rejoicing, and never for a moment felt that it was weaker than the enemy. The Prince, by the disposition of his army, had put in safety, not only our whole frontier and all our stations, but also our soldiers; he watches — that is enough! At last the enemy moves off — precisely what the Prince expected. At their first movement he starts; the army of Holland, with its proud standards, is already in his power — blood flows everywhere — the whole becomes his prey. But God knows how to limit the best formed plans. The enemy is everywhere scattered. Oudenarde is delivered out of their hands; but they themselves are saved out of those of the Prince by a dense cloud, which covers the heavens; terror and desertion enter the troops; none can tell what has become of that formidable army. Then it was that Louis, after having accomplished the rude siege of Besançon, and once more reduced Franche Comté, with unparalleled rapidity, returned, irradiated with glory, to profit by the action of his armies in Flanders and Germany, and commanded the army which performed such prodigies in Alsace; thus appearing the greatest of heroes, as much by his personal exploits as by those of his generals.

While a happy disposition imparted such noble traits to our Prince, he never ceased to enrich it by reflection. The campaigns of Cæsar formed the subject of his study. Well do I recollect how much he interested us by indicating, with all the precision of a catalogue, the place where that celebrated general, by the advantageous nature of his positions, compelled five Roman legions and two experienced leaders to lay down their arms without a struggle. He himself had explored the rivers and mountains, which aided in the accomplishment of that grand result; and never before had so accomplished a teacher explained the 'Commentaries' of Cæsar. The generals of a future age will render him the same homage. They will be seen studying in the places where it took place, what history will relate of the encampment of Pieton, and the wonders that followed. They will notice, in that of Chatenoy, the eminence occupied by that great captain, and the stream where he covered himself from the cannon of the intrenchments of Selestad. Then will they see him putting Germany to shame — now pursuing his enemies, though stronger; now counteracting their schemes, and now causing them to raise the siege of Saverne, as he had that of Haguenau a little

while before. It was by strokes like these, of which his life is full, that he carried his fame to such a height that, in the present day, it is one of the highest honors to have served in the army of the Prince of Condé, and even a title to command to have seen him perform that duty.

But if ever he appeared great, and by his wondrous self-possession, superior to all exigencies, it was in these critical moments upon which victory turns, and in the deepest ardor of battle. In all other circumstances he deliberates — docile, he lends an ear to the counsels of all; but here everything is presented to him at once; the multiplicity of objects confounds him not; in an instant his part is taken; he commands, he acts together; everything is made to subserve his purpose. Shall I add, (for why fear the reputation of so great a man should be diminished by the acknowledgment?) that he was distinguished not only by his quick sallies which he knew so promptly and agreeably to repair, but that he sometimes appeared, on ordinary occasions, as if he had in him another nature, to which his great soul abandoned minor details, in which he himself deigned not to mingle. In the fire, the shock, the confusion of battle, all at once sprung up in him — I know not what firmness and clearness, what ardor and grace — so attractive to his friends, so terrible to his enemies — a combination of qualities and contrasts, at once singular and striking. In that terrible engagement, when before the gates of the city, and in the sight of the citizens, heaven seemed to decide the fate of the Prince; when he had against him choice troops and a powerful general — when, more than once he saw himself exposed to the caprices of fortune — when, in a word, he was attacked on every side, those who were fighting near him have told us that if they had an affair of importance to transact with him, they would have chosen for it that very moment when the fires of battle were raging around him; so much did his spirit appear elevated above them, and, as it were, inspired in such terrible encounters; like those lofty mountains, whose summits, rising above clouds and storms, find their serenity in their elevation, and lose not a single ray of the light by which they are enveloped. Thus on the plains of Lens, name agreeable to France! the Archduke, drawn contrary to his design from an advantageous position, through the influence of a false success, is forced, by a sudden movement of the Prince, who opposes fresh troops to those already exhausted, to take flight. His veteran troops perish; his

cannon, which he relied on, falls into our hands; and Bek, who had flattered himself with certain victory, taken and wounded in the battle, renders, by his dying despair, a mournful homage to his conqueror. Is it necessary to relieve or besiege a city? The Prince knows how to profit by every opportunity. Thus, being suddenly informed of an important siege, he passes, at once, by a rapid march, to the place, and discovers a safe passage through which to give relief, at a spot not sufficiently fortified by the enemy. Does he lay siege to a place? Each day he invents some new means of advancing its conquest. Some have thought that he exposed his troops; but he protected them by abridging the time of peril through the vigor of his attacks. Amid so many surprising blows the most courageous governors cannot make good their promises to their generals. Dunkirk is taken in thirteen days amid the rains of autumn; and those ships, so renowned among our allies, all at once appear upon the ocean with our flags.

But what a wise general ought especially to know, is his soldiers and officers. For thence comes that perfect concert which enables armies to act as one body, or to use the language of Scripture, "as one man." But how as one man? Because under one chief, that knows both soldiers and officers, as if they were his arms and hands, all is equally animated, all is equally moved. This it is which secures victory; for I have heard our great Prince say that, in the battle of Nordlingen, what gained success was his knowledge of M. de Turenne, whose consummate genius needed no order to perform whatever was necessary. The latter, on his side, declared that he acted without anxiety, because he knew the Prince, and his directions which were always safe. Thus they imparted to each other a mutual confidence which enabled them to apply themselves wholly to their respective parts; and thus happily ended the most hazardous and keenly contested battle that was ever fought.

That was a noble spectacle in our day to behold, at the same time, and in the same campaign, these two men, whom the common voice of all Europe equaled to the greatest generals of past ages — now at the head of separate troops, now united, yet more by the concurrence of the same thoughts, than by the orders which the inferior received from the other; now opposed front to front, and redoubling the one in the other activity and vigilance; — as if the Deity, whose wisdom, according to the Scriptures,

disports itself in the universe, would show us under what perfect forms, and with what excellent qualities he can endow men. What encampments and what marches! what hazards and precautions! what perils and resources! Were ever in two men seen the same virtues with such diverse not to say contrary characteristics! The one seemed to act from profound reflection; the other from sudden illumination; the latter consequently was more ardent, though by no means precipitate, while the former, with an appearance of greater coolness, never exhibited anything like languor — ever more ready to act than to speak, resolute and determined within, even when he seemed hesitating and cautious without. The one, as soon as he appeared in the army, gave a high idea of his valor, and caused an expectation of something extraordinary; nevertheless he advanced systematically, and by degrees reached the prodigies which crowned his life; the other, like a man inspired, from his first battle equaled the most consummate masters. The one by his rapid and constant efforts won the admiration of the world, and silenced all envy; the other, at the very first, reflected such a vivid light that none dared to attack him. The one, in fine, by the depth of his genius and the incredible resources of his courage, rose superior to the greatest dangers, and profited even by the infelicities of fortune; the other, at once by the advantages of his elevated birth, and the lofty thoughts by which he was inspired from heaven, and especially by an admirable instinct of which men know not the secret, seemed born to draw fortune into his plans, and to force destiny itself. And as in their life, those great men were seen distinguished by diverse characteristics, so the one, cut down by a sudden blow, like a Judas Macabeus, dies for his country; the army mourns him as a father; the court and country are covered with tears; his piety is praised with his courage, and his memory fades not with time; the other, raised, like a David, by his arms to the summit of glory, like him also dies in his bed, celebrating the praises of God and giving instructions to his family, and thus leaves all hearts filled as much with the splendor of his life as the serenity of his death. What a privilege to see and to study these great men, and learn from each the esteem which the other merits. This has been the spectacle of our age; but what is greater still, we have seen a king making use of these great generals, and enjoying the succor of heaven; and being deprived of the one by death, and of the other by his

maladies, conceiving the greatest plans, and performing the noblest deeds, rising above himself, surpassing the hopes of his friends and the expectations of the world; so lofty is his courage, so vast his intelligence, so glorious his destiny.

Such, messieurs, are the spectacles which God gives to the world, and the men whom he sends into it, to illustrate, now in one nation, now in another, according to his eternal counsels, his power and his wisdom. For, do his Divine attributes discover themselves more clearly in the heavens which his fingers have formed, than in the rare talents which he has distributed, as it pleases him, to extraordinary men? What star shines more brilliantly in the firmament than the Prince de Condé has done in Europe? Not war alone gave him renown; but his resplendent genius which embraced everything, ancient as well as modern, history, philosophy, theology the most sublime, the arts and the sciences. None possessed a book which he had not read; no man of excellence existed, with whom he had not, in some speculation or in some work, conversed; all left him instructed by his penetrating questions or judicious reflections. His conversation, too, had a charm, because he knew how to speak to every one according to his talents; not merely to warriors on their enterprises, to courtiers on their interests, to politicans on their negotiations, but even to curious travelers on their discoveries in nature, government, or commerce; to the artisan on his inventions, and in fine to the learned of all sorts, on their productions. That gifts like these come from God, who can doubt? That they are worthy of admiration, who does not see? But to confound the human spirit which prides itself upon these gifts, God hesitates not to confer them upon his enemies. St. Augustine considers among the heathen, so many sages, so many conquerors, so many grave legislators, so many excellent citizens — a Socrates, a Marcus Aurelius, a Scipio, a Cæsar, an Alexander, all deprived of the knowledge of God, and excluded from his eternal kingdom. Is it not God then who has made them? Who else could do so but he who made everything in heaven, and in the earth? But why has he done so? what in this case are the particular designs of that infinite wisdom which makes nothing in vain? Hear the response of St. Augustine. "He has made them," says he, "that they might adorn the present world." He has made the rare qualities of those great men, as he made the sun. Who admires not that splendid luminary; who is not ravished with his midday

radiance, and the gorgeous beauty of his rising or decline? But as God has made it to shine upon the evil and upon the good, such an object, beautiful as it is, cannot render us happy; God has made it to embellish and illumine this great theatre of the universe. So, also, when he has made, in his enemies as well as in his servants, those beautiful lights of the mind, those rays of his intelligence, those images of his goodness; it is not that these alone can secure our happiness. They are but a decoration of the universe, an ornament of the age. See, moreover, the melancholy destiny of those men who are chosen to be the ornaments of their age. What do such rare men desire but the praise and the glory which men can give? God, perhaps to confound them, will refuse that glory to their vain desires! No:—he confounds them rather by giving it to them, and even beyond their expectation.

That Alexander, who desired only to make a noise in the world, has made it even more than he dared to hope. Thus he must find himself in all our panegyrics, and by a species of glorious fatality, so to speak, partake of all the praises conferred upon every prince. If the great actions of the Romans required a recompense, God knows how to bestow one correspondent to their merits as well as their desires. For a recompense he gives them the empire of the world, as a thing of no value. O kings! humble yourselves in your greatness: conquerors, boast not your victories! He gives them, for recompense, the glory of men; a recompense which never reaches them; a recompense which we endeavor to attach to—what? To their medals or their statues disinterred from the dust, the refuse of years and barbarian violence; to the ruins of their monuments and works, which contend with time, or rather to their idea, their shadow, or what they call their name. Such is the glorious prize of all their labors; such, in the very attainment of their wishes, is the conviction of their error. Come, satisfy yourselves, ye great men of earth! Grasp, if you can, that phantom of glory, after the example of the great men whom ye admire. God who punishes their pride in the regions of despair, envies them not, as St. Augustine says, that glory so much desired; "vain, they have received a recompense as vain as their desires."

But not thus shall it be with our illustrious Prince. The hour of God is come; hour anticipated, hour desired, hour of mercy and of grace. Without being alarmed by disease, or pressed by

time, he executes what he designed. A judicious ecclesiastic, whom he had expressly called, performs for him the offices of religion; he listens, humble Christian, to his instructions; indeed, no one ever doubted his good faith. From that time he is seen seriously occupied with the care of vanquishing himself; rising superior to his insupportable pains, making, by his submission, a constant sacrifice. God, whom he invoked by faith, gave him a relish for the Scriptures; and in that Divine Book he found the substantial nurture of piety. His counsels were more and more regulated by justice; he solaced the widow and orphan, the poor approached him with confidence. A serious as well as an affectionate father, in the pleasant intercourse which he enjoyed with his children, he never ceased to inspire them with sentiments of true virtue; and that young prince, his grandchild, will forever feel himself indebted to his training. His entire household profited by his example. . . . These, messieurs, these simple things — governing his family, edifying his domestics, doing justice and mercy, accomplishing the good which God enjoins, and suffering the evils which he sends — these are the common practices of the Christian life which Jesus Christ will applaud before his Father and the holy angels. But histories will be destroyed with empires; no more will they speak of the splendid deeds with which they are filled. While he passed his life in such occupations, and carried beyond that of his most famous actions the glory of a retreat so good and pious, the news of the illness of the Duchess de Bourbon reached Chantilly, like a clap of thunder. Who was not afraid to see that rising light extinguished? It was apprehended that her condition was worse than it proved. What, then, were the feelings of the Prince of Condé, when he saw himself threatened with the loss of that new tie of his family to the person of the king? Was it on such an occasion that the hero must die? Must he who had passed through so many sieges and battles perish through his tenderness? Overwhelmed by anxieties produced by so frightful a calamity, his heart, which so long sustained itself alone, yields to the blow; his strength is exhausted. If he forgets all his feebleness at the sight of the king approaching the sick princess; if transported by his zeal, he runs, without assistance, to avert the perils which that great king does not fear, by preventing his approach, he falls exhausted before he has taken four steps — a new and affecting way of exposing his life for the king. Although the Duchess d'Enghien, a

princess, whose virtue never feared to perform her duty to her family and friends, had obtained leave to remain with him, to solace him, she did not succeed in assuaging his anxieties; and after the young princess was beyond danger, the malady of the king caused new troubles to the Prince. . . . The Prince of Condé grew weaker, but death concealed his approach. When he seemed to be somewhat restored, and the Duke d'Enghien, ever occupied between his duties as a son and his duties as a subject, had returned by his order to the king, in an instant all was changed, and his approaching death was announced to the Prince. Christians, give attention, and here learn to die, or rather learn not to wait for the last hour, to begin to live well. What! expect to commence a new life when, seized by the freezing grasp of death, ye know not whether ye are among the living or the dead? Ah! prevent, by penitence, that hour of trouble and darkness! Thus, without being surprised at that final sentence communicated to him, the Prince remains for a moment in silence, and then all at once exclaims: "Thou dost will it, O my God; thy will be done! Give me grace to die well!" What more could you desire? In that brief prayer you see submission to the will of God, reliance on his Providence, trust in his grace, and all devotion.

From that time, such as he had been in all combats, serene, self-possessed, and occupied without anxiety, only with what was necessary to sustain them — such also he was in that last conflict. Death appeared to him no more frightful, pale, and languishing, than amid the fires of battle and in the prospect of victory. While sobbings were heard all around him, he continued, as if another than himself were their object, to give his orders; and if he forbade them weeping, it was not because it was a distress to him, but simply a hinderance. At that time, he extended his cares to the least of his domestics. With a liberality worthy of his birth and of their services, he loaded them with gifts, and honored them still more with mementos of his regard. . . .

The manner in which he began to acquit himself of his religious duties deserves to be recounted throughout the world; not because it was particularly remarkable, but rather because it was, so to speak, not such; — for it seemed singular that a Prince so much under the eye of the world should furnish so little to spectators. Do not, then, expect those magniloquent words which serve to reveal, if not a concealed pride, at least an agitated

soul, which combats or dissembles its secret trouble. The Prince of Condé knew not how to utter such pompous sentences; in death, as in life, truth ever formed his true grandeur. His confession was humble, full of penitence and trust. He required no long time to prepare it; the best preparation for such a confession is not to wait for it as a last resort. But give attention to what follows. At the sight of the holy Viaticum, which he so much desired, see how deeply he is affected. Then he remembers the irreverence with which, alas! he had sometimes dishonored that Divine mystery. . . . Calling to mind all the sins which he had committed, but too feeble to give utterance to his intense feelings, he borrowed the voice of his confessor to ask pardon of the world, of his domestics, and of his friends. They replied with their tears. Ah! reply ye now, profiting by that example! The other duties of religion were performed with the same devotion and self-possession. With what faith and frequency did he, kissing the cross, pray the Savior of the world that his blood, shed for him, might not prove in vain! This it is which justifies the sinner, which sustains the righteous, which reassures the Christian. . . . Three times did he cause the prayers for those in anguish to be repeated, and ever with renewed consolation. In thanking his physicians, "See," said he, "my true physicians," pointing to the ecclesiastics to whose teachings he had listened, and in whose prayers he joined. The Psalms were always upon his lips, and formed the joy of his heart. If he complained, it was only that he suffered so little in reparation for his sins. Sensible to the last of the tenderness of his friends, he never permitted himself to be overcome by it; on the contrary, he was afraid of yielding too much to nature. What shall I say of his last interview with the Duke d'Enghien? What colors are vivid enough to represent to you the constancy of the father, the extreme grief of the son? Bathed in tears, his voice choked with sobs, he clasps his dying father, then falls back, then again rushes into his arms, as if by such means he would retain that dear object of his affection; his strength gives way, and he falls at his feet. The Prince, without being moved, waits for his recovery; then calling the Duchess, his daughter-in-law, whom he also sees speechless, and almost without life, with a tenderness in which nothing of weakness is visible, he gives them his last commands, all of which are instinct with piety. He closes with those prayers which God ever hears, like Jacob,

invoking a blessing upon them, and upon each of their children in particular. Nor shall I forget thee, O Prince, his dear nephew, nor the glorious testimony which he constantly tendered to your merit, nor his tender zeal on your behalf, nor the letter which he wrote, when dying, to reinstate you in the favor of the king,—the dearest object of your wishes,—nor the noble qualities which made you worthy to occupy, with so much interest, the last hours of so good a life. Nor shall I forget the goodness of the King, which anticipated the desires of the dying Prince; nor the generous cares of the Duke d'Enghien, who promoted that favor; nor the satisfaction which he felt in fulfilling the wishes of his dying father. While his heart is expanded, and his voice animated in praising the king, the Prince de Conti arrives, penetrated with gratitude and grief. His sympathies are renewed afresh; and the two princes hear what they will never permit to escape from their heart. The Prince concludes, by assuring them that they could never be great men, nor great princes, nor honorable persons, except so far as they possessed real goodness, and were faithful to God and the king. These were the last words which he left engraven on their memory—this was the last token of his affection—the epitome of their duties.

All were in tears, and weeping aloud. The Prince alone was unmoved; trouble came not into that asylum where he had cast himself. O God, thou wert his strength and his refuge, and, as David says, the immovable rock upon which he placed his confidence. . . .

Tranquil in the arms of his God, he waited for his salvation, and implored his support, until he finally ceased to breathe. And here our lamentations ought to break forth at the loss of so great a man. But for the love of the truth, and the shame of those who despise it, listen once more to that noble testimony which he bore to it in dying. Informed by his confessor that if our heart is not entirely right with God, we must, in our addresses, ask God himself to make it such as he pleases, and address him in the affecting language of David, "O God, create in me a clean heart." Arrested by these words, the Prince pauses, as if occupied with some great thought; then calling the ecclesiastic who had suggested the idea, he says: "I have never doubted the mysteries of religion, as some have reported." Christians, you ought to believe him; for in the state he then

was, he owed to the world nothing but truth. "But," added he, "I doubt them less than ever. May these truths," he continued, "reveal and develop themselves more and more clearly in my mind. Yes!" says he, "we shall see God as he is, face to face!" With a wonderful relish he repeated in Latin those lofty words — "As he is — face to face!" Nor could those around him grow weary of seeing him in so sweet a transport. What was then taking place in that soul? What new light dawned upon him? What sudden ray pierced the cloud, and instantly dissipated, not only all the darkness of sense, but the very shadows, and if I dare to say it, the sacred obscurities of faith? What then became of those splendid titles by which our pride is flattered? On the very verge of glory, and in the dawning of a light so beautiful, how rapidly vanish the phantoms of the world! How dim appears the splendor of the most glorious victory! How profoundly we despise the glory of the world, and how deeply regret that our eyes were ever dazzled by its radiance. Come, ye people, come now — or rather ye princes and lords, ye judges of the earth, and ye who open to man the portals of heaven; and more than all others, ye princes and princesses, nobles descended from a long line of kings, lights of France, but to-day in gloom, and covered with your grief, as with a cloud, come and see how little remains of a birth so august, a grandeur so high, a glory so dazzling. Look around on all sides, and see all that magnificence and devotion can do to honor so great a hero; titles and inscriptions, vain signs of that which is no more — shadows which weep around a tomb, fragile images of a grief which time sweeps away with everything else; columns which appear as if they would bear to heaven the magnificent evidence of our emptiness; nothing, indeed, is wanting in all these honors but he to whom they are rendered! Weep then over these feeble remains of human life; weep over that mournful immortality we give to heroes. But draw near, especially ye who run, with such ardor, the career of glory, intrepid and warrior spirits! Who was more worthy to command you, and in whom did ye find command more honorable? Mourn then that great Captain, and weeping, say: "Here is the man that led us through all hazards, under whom were formed so many renowned captains, raised by his example, to the highest honors of war; his shadow might yet gain battles, and lo! in his silence, his very name animates us, and at the same time warns us, that to find, at death, some rest

from our toils, and not arrive unprepared at our eternal dwelling, we must, with an earthly king, yet serve the King of Heaven." Serve then that immortal and ever merciful King, who will value a sigh or a cup of cold water, given in his name, more than all others will value the shedding of your blood. And begin to reckon the time of your useful services from the day on which you gave yourselves to so beneficent a Master. Will not ye too come, ye whom he honored by making you his friends? To whatever extent you enjoyed this confidence, come all of you, and surround this tomb. Mingle your prayers with your tears; and while admiring, in so great a prince, a friendship so excellent, an intercourse so sweet, preserve the remembrance of a hero whose goodness equaled his courage. Thus may he ever prove your cherished instructor; thus may you profit by his virtues; and may his death, which you deplore, serve you at once for consolation and example. For myself, if permitted, after all others, to render the last offices at this tomb, O Prince, the worthy subject of our praises and regrets, thou wilt live forever in my memory. There will thy image be traced, but not with that bold aspect which promises victory. No, I would see in you nothing which death can efface. You will have in that image only immortal traits. I shall behold you such as you were in your last hours under the hand of God, when his glory began to dawn upon you. There shall I see you more triumphant than at Fribourg and at Rocroy; and ravished by so glorious a triumph, I shall give thanks in the beautiful words of the well-beloved disciple, "This is the victory that overcometh the world, even our faith." Enjoy, O Prince, this victory, enjoy it forever, through the everlasting efficacy of that sacrifice. Accept these last efforts of a voice once familiar to you. With you these discourses shall end. Instead of deploring the death of others, great Prince, I would henceforth learn from you to render my own holy, happy, if reminded by these white locks of the account which I must give of my ministry, I reserve for the flock, which I have to feed with the word of life, the remnants of a voice which falters, and an ardor which is fading away.

ELIAS BOUDINOT

(1740–1821)

As «President of Congress,» Elias Boudinot signed the treaty of peace with England which gave the United States their independence. This fact no doubt led to his selection by the Order of the Cincinnati to deliver one of the very earliest of those set Fourth of July orations which moved our ancestors to admiration, inspired them with pride in the institutions of the country, and encouraged in them that readiness for self-sacrifice without which, when the emergency calls for it, the «American idea» must become a demonstrated impossibility.

If, as a result of changing tastes, the patriotic orations of the first quarter of a century under the Constitution no longer stir the responsive emotions they once did, the zeal which inspired, the hope which animated, the earnestness which compelled them, can never be otherwise than admirable to all who are still in sympathy with the ideal towards which these men strove. For it must be remembered always in judging them that their hopes were lofty and that they had a faith as deep as the hope was high. They believed that they and their descendants had been chosen by heaven to set the world an example, the force of which would finally establish liberty and justice as the directing impulses of the whole earth. In order to understand them, it is necessary to keep this in view. There is an intense earnestness behind such words as these of Boudinot:—

«It is our duty, then, as a people acting on principles of universal application, to convince mankind of the truth and practicability of them by carrying them into actual exercise for the happiness of our fellow-men, without suffering them to be perverted to oppression and licentiousness.»

The idea which animated Boudinot, as it did so many others of his time, was that it is the destiny of America to demonstrate to all men that moral force is the true basis of government, and that physical force must, «in the long run,» give way before it. «The eyes of the nations of the world are fast opening,» says Boudinot, «and the inhabitants of this globe, notwithstanding it is three thousand years since the promulgation of the precept, 'Thou shalt love thy neighbor as thyself,' are just beginning to discover their brotherhood to each other, and that all men, however different as regards

nation or color, have an essential interest in each other's welfare. Let it then be our peculiar constant care to inculcate this sacred principle.»

The Order of the Cincinnati having resolved to encourage the celebration of the Fourth of July «as a festival to be sacredly observed by every true American,» Mr. Boudinot was invited to speak before the New Jersey branch of the order, and his «Cincinnati oration» was accordingly delivered at Elizabethton, July 4th, 1793. When published it was dedicated to Washington.

Boudinot was born in Philadelphia, May 2d, 1740, of a French-Huguenot family which came to America after the revocation of the Edict of Nantes. He «received a classical and legal education,» and began the practice of law in New Jersey with Richard Stockton, at that time a famous lawyer, who stood at the head of the New Jersey bar. Active in the agitation which brought on the Revolution, Boudinot was first appointed «commissary general of prisoners» and afterwards elected to the Continental Congress,—of which, in November 1782, he was chosen president. After the adoption of the Constitution he served six years in Congress, and in 1796 became director of the mint under President Washington.

Retiring from politics he was chosen president of the American Bible Society at its organization,—an honor he esteemed above that conferred by any political position he had ever held. He took a great interest in the education of the Indians, and the «Boudinots» who have been prominent in the affairs of the Cherokees belong to a family which adopted his name. He died in 1821.

THE MISSION OF AMERICA

(Oration before the «Cincinnati,» Elizabethton, New Jersey, July 4th, 1793)

Gentlemen, Brethren, and Fellow-Citizens:—

HAVING devoutly paid the sacrifice of prayer and praise to that Almighty Being, by whose favor and mercy this day is peculiarly dedicated to the commemoration of events which fill our minds with joy and gladness, it becomes me, in obedience to the resolutions of our society, to aim at a further improvement of this festival, by leading your reflections to the contemplation of those special privileges which attend the happy and important situation you now enjoy among the nations of the earth.

Is there any necessity, fellow-citizens, to spend your time in attempting to convince you of the policy and propriety of setting

apart this anniversary, for the purpose of remembering, with gratitude, the unexampled event of our political salvation?

The cordial testimony you have borne to this institution for seventeen years past supersedes the necessity of an attempt of this kind; and, indeed, if this had been the first instance of our commemorating the day, the practice of all nations and of all ages would have given a sanction to the measure.

The history of the world, as well sacred as profane, bears witness to the use and importance of setting apart a day as a memorial of great events, whether of a religious or political nature.

No sooner had the great Creator of the heavens and the earth finished his almighty work, and pronounced all very good, but he set apart (not an anniversary, or one day in a year, but) one day in seven, for the commemoration of his inimitable power in producing all things out of nothing.

The deliverance of the children of Israel from a state of bondage to an unreasonable tyrant was perpetuated by the eating of the Paschal Lamb and enjoining it to their posterity as an annual festival forever, with a "Remember this day, in which ye came out of Egypt, out of the house of bondage."

The resurrection of the Savior of mankind is commemorated by keeping the first day of the week, not only as a certain memorial of his first coming in a state of humiliation, but the positive evidence of his future coming in glory.

Let us then, my friends and fellow-citizens, unite all our endeavors this day, to remember, with reverential gratitude to our supreme benefactor, all the wonderful things he has done for us, in a miraculous deliverance from a second Egypt — another house of bondage. "And thou shalt show thy son on this day, saying this day is kept as a day of joy and gladness, because of the great things the Lord has done for us, when we were delivered from the threatening power of an invading foe. And it shall be a sign unto thee, upon thine hand, and for a memorial between thine eyes, that the law of the Lord may be in thy mouth, for with a strong hand hast thou been delivered from thine enemies: Thou shalt therefore keep this ordinance in its season, from year to year, forever."

When great events are to be produced in this our world, great exertions generally become necessary; men are, therefore, usually raised up, with talents and powers peculiarly adapted to

the purposes intended by Providence, who often, by their disinterested services and extreme sufferings, become the wonder as well as the examples of their generation.

The obligations of mankind to these worthy characters increase in proportion to the importance of the blessings purchased by their labors.

It is not, then, an unreasonable expectation which, I well know, generally prevails, that this day should be usually devoted to perpetuating and respectfully remembering the dignified characters of those great men, with whom it has been our honor to claim the intimate connection of fellow-citizens,—men who have purchased our present joyful circumstances at the invaluable price of their blood.

But you must also acknowledge with me, that this subject has been so fully considered, and so ably handled by those eloquent and enlightened men who have gone before me in this honorable path, that had their superior abilities fallen to my lot, I could do but little more than repeat the substance of their observations and vary their language.

Forgive me, ye spirits of my worthy departed fellow-citizens! Patriots of the first magnitude, whose integrity no subtle arts of bribery and corruption could successfully assail, and whose fortitude and perseverance no difficulties or dangers could intimidate! Whose labors and sufferings in the common cause of our country, whose exploits in the field and wisdom in the cabinet, I have often been witness to, during a cruel and distressing war! Forgive, O Warren, Montgomery, and all the nameless heroes of your illustrious group! Forgive, that I omit on the present occasion to follow the steps of those compatriots who have preceded me, but had rather spend this sacred hour in contemplating those great purposes which animated your souls in the severe conflict, and for which you fought and bled!

Were you present to direct this day's meditations, would you not point to your scarred limbs and bleeding breasts, and loudly call upon us to reward your toils and sufferings, by forcibly inculcating and improving those patriotic principles and practices which led you to those noble achievements that secured the blessings we now enjoy?

Yes, ye martyrs to liberty! ye band of heroes! ye once worthy compatriots and fellow-citizens! We will obey your friendly suggestion, and greatly prize that freedom and independence,

purchased by your united exertions, as the most invaluable gem of our earthly crown.

The late revolution, my respected audience, in which we this day rejoice, is big with events that are daily unfolding themselves and pressing in thick succession, to the astonishment of a wondering world.

It has been marked with the certain characteristic of a Divine overruling hand, in that it was brought about and perfected against all human reasoning, and apparently against all human hope; and that in the very moment of time when all Europe seemed ready to be plunged into commotion and distress.

Divine Providence, throughout the government of this world, appears to have impressed many great events with the undoubted evidence of his own almighty arm. He putteth down kingdoms and he setteth up whom he pleaseth, and it has been literally verified in us that "no king prevaileth by the power of his own strength."

The first great principle established and secured by our revolution, and which since seems to be pervading all the nations of the earth, and which should be most zealously and carefully improved and gloried in by us, is the rational equality and rights of men, as men and citizens.

I do not mean to hold up the absurd idea charged upon us, by the enemies of this valuable principle, and which contains in it inevitable destruction to every government, "that all men are equal as to acquired or adventitious rights." Men must and do continually differ in their genius, knowledge, industry, integrity, and activity.

Their natural and moral characters; their virtues and vices; their abilities, natural and acquired, together with favorable opportunities for exertion, will always make men different among themselves, and of course create a pre-eminency and superiority one over another. But the equality and rights of men here contemplated are natural, essential, and unalienable, such as the security of life, liberty, and property. These should be the firm foundation of every good government, as they will apply to all nations, at all times, and may properly be called a universal law. It is apparent that every man is born with the same right to improve the talent committed to him, for the use and benefit of society, and to be respected accordingly.

We are all the workmanship of the same Divine hand. With our Creator, abstractly considered, there are neither kings nor subjects, masters nor servants, otherwise than stewards of his appointment, to serve each other according to our different opportunities and abilities, and of course accountable for the manner in which we perform our duty; he is no respecter of persons; he beholds all with an equal eye, and although "order is heaven's first law," and he has made it essential to every good government, and necessary for the welfare of every community, that there should be distinctions among members of the same society, yet this difference is originally designed for the service, benefit, and best good of the whole, and not for their oppression or destruction.

It is our duty then, as a people, acting on principles of universal application, to convince mankind of the truth and practicability of them, by carrying them into actual exercise for the happiness of our fellow-men, without suffering them to be perverted to oppression or licentiousness.

The eyes of the nations of the earth are fast opening, and the inhabitants of this globe, notwithstanding it is three thousand years since the promulgation of the precept, "Thou shalt love thy neighbor as thyself," are but just beginning to discover their brotherhood to each other, and that all men, however different with regard to nation or color, have an essential interest in each other's welfare.

Let it then be our peculiar constant care and vigilant attention to inculcate this sacred principle and to hand it down to posterity, improved by every generous and liberal practice, that while we are rejoicing in our own political and religious privileges, we may with pleasure contemplate the happy period, when all the nations of the earth shall join in the triumph of this day and one universal anthem of praise shall arise to the Universal Creator in return for the general joy.

Another essential ingredient in the happiness we enjoy as a nation, and which arises from the principles of the revolution, is the right that every people have to govern themselves in such manner as they judge best calculated for the common benefit.

It is a principle interwoven with our Constitution, and not one of the least blessings purchased by that glorious struggle, to the commemoration of which this day is specially devoted, that every man has a natural right to be governed by laws of his

own making, either in person or by his representative, and that no authority ought justly to be exercised over him, that is not derived from the people, of whom he is one.

This, fellow-citizens, is a most important practical principle, first carried into complete execution by the United States of America.

I tremble for the event, while I glory in the subject.

To you, ye citizens of America, do the inhabitants of the earth look with eager attention for the success of a measure on which their happiness and prosperity so manifestly depend.

To use the words of a famous foreigner: "You are become the hope of human nature, and ought to become its great example. The asylum opened in your land for the oppressed of all nations must console the earth."

On your virtue, patriotism, integrity, and submission to the laws of your own making, and the government of your own choice, do the hopes of men rest with prayers and supplications for a happy issue.

Be not, therefore, careless, indolent, or inattentive, in the exercise of any right of citizenship. Let no duty, however small, or seemingly of little importance, be neglected by you.

Ever keep in mind that it is parts that form the whole, and fractions constitute the unit. Good government generally begins in the family, and if the moral character of a people once degenerates, their political character must soon follow.

A friendly consideration of our fellow-citizens, who by our free choice become the public servants and manage the affairs of our common country, is but a reasonable return for their diligence and care in our service.

The most enlightened and zealous of our public servants can do little without the exertions of private citizens to perfect what they do but form, as it were, in embryo. The highest officers of our government are but the first servants of the people and always in their power; they have, therefore, a just claim to a fair and candid experiment of the plans they form and the laws they enact for the public weal. Too much should not be expected from them; they are but men and of like passions and of like infirmities with ourselves; they are liable to err, though exercising the purest motives and best abilities required for the purpose.

Times and circumstances may change and accidents intervene to disappoint the wisest measures. Mistaken and wicked men

(who cannot live but in troubled waters) are often laboring with indefatigable zeal, which sometimes proves but too successful, to sour our minds and derange the best-formed systems. Plausible pretensions and censorious insinuations are always at hand to transfer the deadly poison of jealousy, by which the best citizens may for a time be deceived.

These considerations should lead to an attentive solicitude to keep the pure unadulterated principles of our Constitution always in view; to be religiously careful in our choice of public officers; and as they are again in our power at very short periods, lend not too easily a patient ear to every invidious insinuation or improbable story, but prudently mark the effects of their public measures and judge of the tree by its fruits.

I do not wish to discourage a constant and lively attention to the conduct of our rulers. A prudent suspicion of public measures is a great security to a republican government; but a line should be drawn between a careful and critical examination into the principles and effects of regular systems after a fair and candid trial and a captious, discontented, and censorious temper, which leads to find fault with every proposition in which we have not an immediate hand, and raises obstacles to rational plans of government, without waiting a fair experiment. It is generally characteristic of this disposition to find fault without proposing a better plan for consideration.

We should not forget that our country is large and our fellow-citizens of different manners, interests, and habits — that our laws to be right must be equal and general. Of course the differing interests must be combined, and brotherly conciliation and forbearance continually exercised, if we will judge with propriety of those measures that respect a nation at large.

While we thus enjoy as a community the blessings of the social compact in its purity, and are all endeavoring to secure the invaluable privileges purchased by the blood of thousands of our brethren who fell in the dreadful conflict, let us also be careful to encourage and promote a liberality and benevolence of mind towards those whom they have left behind, and whose unhappy fate it has been to bear a heavier proportion of the expensive purchase, in the loss of husbands, parents, or children, perhaps their only support and hope in life. . . .

Do you, my worthy fellow-citizens, of every description, wish for more lasting matter of pleasure and satisfaction in

contemplating the great events brought to your minds this day? Extend, then, your views to a distant period of future time. Look forward a few years, and behold our extended forests (now a pathless wilderness) converted into fruitful fields and busy towns. Take into view the pleasing shores of our immense lakes, united to the Atlantic States by a thousand winding canals, and beautified with rising cities, crowned with innumerable peaceful fleets, transporting the rich produce from one coast to another.

Add to all this, what must most please every humane and benevolent mind, the ample provision thus made by the God of all flesh, for the reception of the nations of the earth, flying from the tyranny and oppression of the despots of the Old World, and say, if the prophecies of ancient times are not hastening to a fulfillment, when this wilderness shall blossom as a rose, the heathen be given to the Great Redeemer as his inheritance, and these uttermost parts of the earth for his possession.

Who knows but the country for which we have fought and bled may hereafter become a theatre of greater events than yet have been known to mankind?

May these invigorating prospects lead us to the exercise of every virtue, religious, moral, and political. May we be roused to a circumspect conduct,—to an exact obedience to the laws of our own making,—to the preservation of the spirit and principles of our truly invaluable Constitution,—to respect and attention to magistrates of our own choice; and finally, by our example as well as precept, add to the real happiness of our fellow-men and the particular glory of our common country.

And may these great principles in the end become instrumental in bringing about that happy state of the world, when, from every human breast, joined by the grand chorus of the skies, shall arise with the profoundest reverence, that divinely celestial anthem of universal praise,—"Glory to God in the highest; peace on earth; good will towards men."

LOUIS BOURDALOUE

(1632–1704)

THE member of the old French nobility who is reported to have doubted heaven's ability to damn a gentleman of his quality was not one of Bourdaloue's audience when he preached before Louis XIV. what Madame de Sévigné called his "beautiful, his noble, his astonishing" sermons. But there were present many such, and their presence served to give the great preacher habits of thought and expression which distinguish his style from that of the modern pulpit. He belonged to an aristocratic age, and while he rebukes its vices his sympathy with its habits of thought makes it impossible to judge him by the standard we apply in criticizing a modern pulpit orator who addresses himself not to a select court circle, but to the largest possible number of the people. What is considered Bourdaloue's greatest sermon on the sufferings of Christ was preached before the King whom it so charmed that after the close of the series he said he "loved better to hear the repetition of Bourdaloue than the novelties of any one else." The style which characterizes sermons worthy of this compliment from a king is nobly persuasive; full of dignity, elegance, and sweetness. The worst that can be said in criticism of it is that it is controlled by courtesy,—that even in rebuking the vices of the court the preacher himself is a courtier still. But this does not prevent so poor a courtier as Lord Brougham from ranking Bourdaloue above Bossuet and next to Massillon. We may not accept that judgment as it applies against Bossuet, but no one who reads Bourdaloue's masterly periods will wish to question his place as one of the three great pulpit orators of the French classical period.

He was born at Bourges in 1632, and educated a Jesuit. His genius showed itself in his earliest discourses, and in 1669 his superiors sent him to Paris where for thirty years he kept his place in the affections of the polite world. In his old age, after doing the King's pleasure in preaching in the provinces to reconcile the Protestants after the revocation of the Edict of Nantes, he abandoned his pulpit and worked as what would now be called "a city missionary," in Paris. It is said that his persuasiveness and pathos affected the people as powerfully as the court had been affected by his sermons before the King. He died in 1704.

THE PASSION OF CHRIST

The Passion of Jesus Christ, however sorrowful and ignominious it may appear to us, must nevertheless have been to Jesus Christ himself an object of delight, since this God-man, by a wonderful secret of his wisdom and love, has willed that the mystery of it shall be continued and solemnly renewed in his Church until the final consummation of the world. For what is the Eucharist but a perpetual repetition of the Savior's Passion, and what has the Savior supposed in instituting it, but that whatever passed at Calvary is not only represented but consummated on our altars? That is to say, that he is still performing the functions of the victim anew, and is every moment virtually sacrificed, as though it were not sufficient that he should have suffered once. At least that his love, as powerful as it is free, has given to his adorable sufferings that character of perpetuity which they have in the Sacrament, and which renders them so salutary to us. Behold, Christians, what the love of a God has devised; but behold, also, what has happened through the malice of men! At the same time that Jesus Christ, in the sacrament of his body, repeats his holy Passion in a manner altogether mysterious, men, the false imitators, or rather base corruptors of the works of God, have found means to renew this same Passion, not only in a profane, but in a criminal, sacrilegious, and horrible manner!

Do not imagine that I speak figuratively. Would to God, Christians, that what I am going to say to you were only a figure, and that you were justified in vindicating yourselves to-day against the horrible expressions which I am obliged to employ! I speak in the literal sense; and you ought to be more affected with this discourse, if what I advance appears to you to be overcharged; for it is by your excesses that it is so, and not by my words. Yes, my dear hearers, the sinners of the age, by the disorders of their lives, renew the bloody and tragic Passion of the Son of God in the world; I will venture to say that the sinners of the age cause to the Son of God, even in the state of glory, as many new passions as they have committed outrages against him by their actions! Apply yourselves to form an idea of them; and in this picture, which will surprise you, recognize what you are, that you may weep bitterly over yourselves! What do we

see in the Passion of Jesus Christ? A Divine Savior betrayed and abandoned by cowardly disciples, persecuted by pontiffs and hypocritical priests, ridiculed and mocked in the palace of Herod by impious courtiers, placed upon a level with Barabbas, and to whom Barabbas is preferred by a blind and inconstant people, exposed to the insults of libertinism, and treated as a mock-king by a troop of soldiers equally barbarous and insolent; in fine, crucified by merciless executioners! Behold, in a few words, what is most humiliating and most cruel in the death of the Savior of the world! Then tell me if this is not precisely what we now see, of what we are every day called to be witnesses. Let us resume; and follow me.

Betrayed and abandoned by cowardly disciples: such, O divine Savior, has been thy destiny. But it was not enough that the Apostles, the first men whom thou didst choose for thine own, in violation of the most holy engagement, should have forsaken thee in the last scene of thy life; that one of them should have sold thee, another renounced thee, and all disgraced themselves by a flight which was, perhaps, the most sensible of all the wounds that thou didst feel in dying. This wound must be again opened by a thousand acts of infidelity yet more scandalous. Even in the Christian ages we must see men bearing the character of thy disciples, and not having the resolution to sustain it; Christians, prevaricators, and deserters from their faith; Christians ashamed of declaring themselves for thee, not daring to appear what they are, renouncing at least in the exterior what they have professed, flying when they ought to fight; in a word, Christians in form, ready to follow thee even to the Supper when in prosperity, and while it required no sacrifice, but resolved to abandon thee in the moment of temptation. It is on your account, and my own, my dear hearers, that I speak, and behold what ought to be the subject of our sorrow.

A Savior mortally persecuted by pontiffs and hypocritical priests. Let us not enter, Christians, into the discussion of this article, at which your piety would, perhaps, be offended, and which would weaken or prejudice the respect which you owe to the ministers of the Lord. It belongs to us, my brethren, to meditate to-day on this fact in the spirit of holy compunction; to us consecrated to the ministry of the altars, to us priests of Jesus Christ, whom God has chosen in his church to be the dispensers of his sacraments. It does not become me to remonstrate in

this place. God forbid that I should undertake to judge those who sustain the sacred office! This is not the duty of humility to which my condition calls me. Above all, speaking as I do, before many ministers, the irreprehensible life of whom contributes so much to the edification of the people, I am not yet so infatuated as to make myself the judge, much less the censor of their conduct. But though it should induce you only to acknowledge the favors with which God prevents you, as a contrast, from the frightful blindness into which he permits others to fall, remember that the priests, and the princes of the priests, are those whom the Evangelist describes as the authors of the conspiracy formed against the Savior of the world, and of the wickedness committed against him. Remember that this scandal is notoriously public, and renewed still every day in Christianity. Remember, but with fear and horror, that the greatest persecutors of Jesus Christ are not lay libertines, but wicked priests; and that among the wicked priests, those whose corruption and iniquity are covered with the vail of hypocrisy are his most dangerous and most cruel enemies. A hatred, disguised under the name of zeal, and covered with the specious pretext of observance of the law, was the first movement of the persecution which the Pharisees and the priests raised against the Son of God. Let us fear lest the same passion should blind us! Wretched passion, exclaims St. Bernard, which spreads the venom of its malignity even over the most lovely of the children of men, and which could not see a God upon earth without hating him! A hatred not only of the prosperity and happiness, but what is yet more strange, of the merit and perfection of others! A cowardly and shameful passion, which, not content with having caused the death of Jesus Christ, continues to persecute him by rending his mystical body, which is the Church; dividing his members, which are believers; and stifling in their hearts that charity which is the spirit of Christianity! Behold, my brethren, the subtle temptation against which we have to defend ourselves, and under which it is but too common for us to fall!

A Redeemer reviled and mocked in the palace of Herod by the impious creatures of his court! This was, without doubt, one of the most sensible insults which Jesus Christ received. But do not suppose, Christians, that this act of impiety ended there. It has passed from the court of Herod, from that prince destitute

of religion, into those even of Christian princes. And is not the Savior still a subject of ridicule to the libertine spirits which compose them? They worship him externally, but internally how do they regard his maxims? What idea have they of his humility, of his poverty, of his sufferings? Is not virtue either unknown or despised? It is not a rash zeal which induces me to speak in this manner; it is what you too often witness, Christians; it is what you perhaps feel in yourselves; and a little reflection upon the manners of the court will convince you that there is nothing that I say which is not confirmed by a thousand examples, and that you yourselves are sometimes unhappy accomplices in these crimes.

Herod had often earnestly wished to see Jesus Christ. The reputation which so many miracles had given him excited the curiosity of this prince, and he did not doubt but that a man who commanded all nature might strike some wonderful blow to escape from the persecution of his enemies. But the Son of God, who had not been sparing of his prodigies for the salvation of others, spared them for himself, and would not say a single word about his own safety. He considered Herod and his people as profane persons, with whom he thought it improper to hold any intercourse, and he preferred rather to pass for a fool than to satisfy the false wisdom of the world. As his kingdom was not of this world, as he said to Pilate, it was not at the court that he designed to establish himself. He knew too well that his doctrine could not be relished in a place where the rules of worldly wisdom only were followed, and where all the miracles which he had performed had not been sufficient to gain men full of love for themselves and intoxicated with their greatness. In this corrupted region they breathe only the air of vanity; they esteem only that which is splendid; they speak only of preferment: and on whatever side we cast our eyes, we see nothing but what either flatters or inflames the ambitious desires of the heart of man.

What probability, then, was there that Jesus Christ, the most humble of all men, should obtain a hearing where only pageantry and pride prevail? If he had been surrounded with honors and riches, he would have found partisans near Herod and in every other place. But as he preached a renunciation of the world both to his disciples and to himself, let us not be astonished that they treated him with so much disdain. Such is the

prediction of the holy man Job, and which after him must be accomplished in the person of all the righteous; "the upright man is laughed to scorn." In fact, my dear hearers, you know that, whatever virtue and merit we may possess, they are not enough to procure us esteem at court. Enter it, and appear only like Jesus Christ clothed with the robe of innocence; only walk with Jesus Christ in the way of simplicity; only speak as Jesus Christ to render testimony to the truth, and you will find that you meet with no better treatment there than Jesus Christ. To be well received there, you must have pomp and splendor. To keep your station there, you must have artifice and intrigue. To be favorably heard there, you must have complaisance and flattery. Then all this is opposed to Jesus Christ; and the court being what it is, that is to say, the kingdom of the prince of this world, it is not surprising that the kingdom of Jesus Christ cannot be established there. But woe to you, princes of the earth! Woe to you, men of the world, who despise this incarnate wisdom, for you shall be despised in your turn, and the contempt which shall fall upon you shall be much more terrible than the contempt which you manifest can be prejudicial.

A Savior placed upon a level with Barabbas, and to whom Barabbas is preferred by a blind and fickle rabble! How often have we been guilty of the same outrage against Jesus Christ as the blind and fickle Jews! How often, after having received him in triumph in the sacrament of the Communion, seduced by cupidity, have we not preferred either a pleasure or interest after which we sought, in violation of his law, to this God of glory! How often, divided between conscience which governed us, and passion which corrupted us, have we not renewed this abominable judgment, this unworthy preference of the creature even above our God! Christians, observe this application; it is that of St. Chrysostom, and if you properly understand it, you must be affected by it. Conscience, which, in spite of ourselves, presides in us as judge, said inwardly to us, "What art thou going to do? Behold thy pleasure on the one hand, and thy God on the other: for which of the two dost thou declare thyself? for thou canst not save both; thou must either lose thy pleasure or thy God; and it is for thee to decide." And the passion, which by a monstrous infidelity had acquired the influence over our hearts, made us conclude — I will keep my pleasure. "But what then will become of thy God," replied conscience secretly, "and what must I

do, I, who cannot prevent myself from maintaining his interests against thee?" I care not what will become of my God, answered passion insolently; I will satisfy myself, and the resolution is taken. "But dost thou know," proceeded conscience by its remorse, "that in indulging thyself in this pleasure it will at last submit thy Savior to death and crucifixion for thee?" It is of no consequence if he be crucified, provided I can have my enjoyments. "But what evil has he done, and what reason hast thou to abandon him in this manner?" My pleasure is my reason; and since Christ is the enemy of my pleasure, and my pleasure crucifies him, I say it again, let him be crucified.

Behold, my dear hearers, what passes every day in the consciences of men, and what passes in you and in me, every time that we fall into sin, which causes death to Jesus Christ, as well as to our souls! Behold what makes the enormity and wickedness of this sin! I know that we do not always speak, that we do not always explain ourselves in such express terms and in so perceptible a manner; but after all, without explaining ourselves so distinctly and so sensibly, there is a language of the heart which says all this. For, from the moment that I know that this pleasure is criminal and forbidden of God, I know that it is impossible for me to desire it, impossible to seek it, without losing God; and consequently I prefer this pleasure to God in the desire that I form of it, and in the pursuit that I make after it. This, then, is sufficient to justify the thought of St. Chrysostom and the doctrine of the theologians upon the nature of deadly sin.

A Savior exposed to insults, and treated as a mock-king by a troop of feigned worshipers! What a spectacle, Christians! Jesus Christ, the eternal Word, covered with a pitiful, purple robe, a reed in his hand, a crown of thorns upon his head, delivered to an insolent soldiery, who, according to the expression of Clement Alexandrine, made a theatrical king of him whom the angels adore with trembling! They bowed the knee before him, and, with the most cutting derision, they snatched from him the reed which he held, to strike him on the head. An act too much resembling the impieties which are every day committed, during the celebration of our most august mysteries! Were he to appear in all his majesty, such as he will display at his second coming, you would be seized with fear. But, says St. Bernard, the more he is little, the more worthy is he of our respects; since it is his love, and not necessity, which reduces him to his state of

abasement. But it appears that you take pleasure in destroying his work, by opposing your malice to his goodness. You insult him, even on the throne of his grace; and, to use the words of the Apostle, you do not fear to trample under foot the blood of the New Testament! For, indeed, what else do you do by so many acts of irreverence, and so many scandals which equally dishonor the sanctuary which you enter and the God which it contains?

Ah, my brethren, I might well ask the greater part of the Christians of the present day, what St. Bernard asked them in his time: What do you think of your God, and what idea have you conceived of him? If he occupied the rank which he ought to occupy in your minds, would you proceed to such extremes in his presence? Would you go to his feet to insult him? for I call it insulting Jesus Christ to come before the altars to unbend ourselves, to amuse ourselves, to speak, to converse, to trouble the sacred mysteries by immodest smiles and laughter. I call it insulting the majesty of Jesus Christ to remain in his presence in indecent postures and with as little decorum as in a public place. I call it insulting the humility of Jesus Christ to make an ostentatious display before his eyes, of all the luxury and all the vanities of the world. I call it insulting the holiness of Jesus Christ to bring near his tabernacle, and into his holy house, a shameful passion which we entertain and kindle afresh there, by bold looks, by sensual desires, by the most dissolute discourses, and sometimes by the most sacrilegious abominations. God formerly complained of the infidelity of his people, addressing them by the mouth of his prophet—"Thou hast profaned my holy name." But it is not only his name that we profane, it is his body; it is his blood; it is his infinite merits; it is even his divinity; it is all that he possesses that is venerable and great. Nevertheless, do not deceive yourselves; for the Lord will have a day of reckoning; and, justly incensed at so many injuries, he will not allow you to escape with impunity; but he will know how to avenge himself by covering you with eternal confusion!

In fine, Christians, a Savior crucified by merciless executioners, the last effect of the cruelty of men upon the innocent person of the Son of God. It was at the foot of that cross, where we see him suspended, that the justice of the Father waited for him during four thousand years. Thus he regarded it, however frightful it might seem, as an object of delight; because he

there found the reparation of the Divine glory and the punishment of our offenses. But in proportion as this first cross had charms for him, in that same proportion does he feel horror at that which our sins prepare for him every day. It is not, said St. Augustine, the rigor of that of which he complains, but the cruelty and the weight of this appear to him insupportable! He knew that his cross, ignominious as it was, would be transferred from Calvary, as speaks St. Augustine, to the heads of the emperors. He foresaw that his death would be the salvation of the world, and that his Father would one day render his ignominy so glorious, that it would become the hope and the happiness of all nations. But in this other cross, where we fasten him ourselves by sin, what is there, and what can there be to console him? Nothing but his love despised! His favors rejected! Unworthy creatures preferred to the Creator!

If, then, the sun concealed himself that he might not give his light to the barbarous action of his enemies who crucified him, sinner, what darkness ought not to cover from view thy wanderings and thy excesses? For it is by these,—understand it yet once more, if you have not sufficiently understood it,—it is by these, my dear hearers, that you incessantly renew all the passion of Jesus Christ. It is not I who say it, it is Saint Paul in the Epistle to the Hebrews: "They crucify to themselves the Son of God afresh, and put him to an open shame." As if this great Apostle would explain himself thus. Do not think, my brethren, that they were the Jews only who imbrued their hands in the blood of the Savior. Ye are accomplices in this deicide. And by what means? By your impieties, your sacrileges, your obscenities, your jealousies, your resentments, your antipathies, your revenge, and whatever corrupts your heart and excites it to revolt against God! Is it not then just, that while you weep over Jesus Christ you should yet weep more over yourselves, since ye are not only the authors of his death, but your sins destroy all the merit of it, as it respects yourselves, and render it useless and even prejudicial to you; as it remains for me to prove in the third part.

That there are men, and Christian men, to whom, by a secret judgment of God, the Passion of Jesus Christ, salutary as it is, may become useless, is a truth too essential in our religion to be unknown, and too sorrowful not to be the subject of our grief. When the Savior from the height of his cross, ready to give up

his spirit, raised this cry toward heaven, "My God, my God, why hast thou forsaken me?" there was no one who did not suppose but that the violence of his torments forced from him this complaint, and perhaps we ourselves yet believe it. But the great Bishop Arnauld de Chartres, penetrating deeper into the thoughts and affections of this dying Savior, says, with much more reason, that the complaint of Christ Jesus to his Father proceeded from the sentiment with which he was affected, in representing to himself the little fruit which his death would produce; in considering the small number of the elect who would profit by it; in foreseeing with horror the infinite number of the reprobate, for whom it would be useless: as if he had wished to proclaim that his merits were not fully enough, nor worthily enough remunerated; and that after having done so much work he had a right to promise to himself a different success in behalf of men. The words of this author are admirable: Jesus Christ complains, says this learned prelate, but of what does he complain? That the wickedness of sinners makes him lose what ought to be the reward of the conflicts which he has maintained. That millions of the human race for whom he suffers will, nevertheless, be excluded from the benefit of redemption. And because he regards himself in them as their head, and themselves, in spite of their worthlessness, as the members of his mystical body; seeing them abandoned by God, he complains of being abandoned himself; "My God, my God, why hast thou forsaken me?" He complains of what made St. Paul groan when transported with an apostolic zeal, he said to the Galatians: "What, my brethren, is Jesus Christ then dead in vain? Is the mystery of the cross then nothing to you? Will not this blood which he has so abundantly shed have the virtue to sanctify you?"

But here, Christians, I feel myself affected with a thought which, contrary as it appears to that of the Apostle, only serves to strengthen and confirm it. For it appears that St. Paul is grieved because Jesus Christ has suffered in vain; but I, I should almost console myself if he had only suffered in vain, and if his passion was only rendered useless to us. That which fills me with consternation is, that at the same time that we render it useless to ourselves, by an inevitable necessity it must become pernicious: for this passion, says St. Gregory of Nazianzen, "partakes of the nature of those remedies which kill if they do not heal, and of which the effect is either to give life or to convert

itself into poison; lose nothing of this, I beseech you.» Remember, then, Christians, what happened during the judgment and at the moment of the condemnation of the Son of God.

When Pilate washed his hands before the Jews and declared to them that there was nothing worthy of death in this righteous man, but that the crime from which he freed himself rested upon them, and that they would have to answer for it, they all cried with one voice that they consented to it, and that they readily agreed that the blood of this just man should fall upon them and upon their children. You know what this cry has cost them. You know the curses which one such imprecation has drawn upon them, the anger of heaven which began from that time to burst upon this nation, the ruin of Jerusalem which followed soon after,—the carnage of their citizens, the profanation of their temple, the destruction of their republic, the visible character of their reprobation which their unhappy posterity bear to this day, that universal banishment, that exile of sixteen hundred years, that slavery through all the earth,—and all in consequence of the authentic prediction which Jesus Christ made to them of it when going to Calvary, and with circumstances which incontestably prove that a punishment as exemplary as this cannot be imputed but to the deicide which they had committed in the person of the Savior; since it is evident, says St. Augustine, that the Jews were never further from idolatry, nor more religious observers of their law than they were then, and that, excepting the crime of the death of Jesus Christ, God, very far from punishing them, would, it seems, rather have loaded them with his blessings. You know all this, I say; and all this is a convincing proof that the blood of this God-man is virtually fallen upon these sacrilegious men, and that God, in condemning them by their own mouth, although in spite of himself, employs that to destroy them which was designed for their salvation.

But, Christians, to speak with the Holy Spirit, this has happened to the Jews only as a figure; it is only the shadow of the fearful curses of which the abuse of the merits and passion of the Son of God must be to us the source and the measure. I will explain myself. What do we, my dear hearers, when borne away by the immoderate desires of our hearts to a sin against which our consciences protest? And what do we, when, possessed of the spirit of the world, we resist a grace which solicits us, which presses us to obey God? Without thinking upon it,

and without wishing it, we secretly pronounce the same sentence of death which the Jews pronounced against themselves before Pilate, when they said to him, "His blood be upon us." For this grace which we despise is the price of the blood of Jesus Christ, and the sin that we commit is an actual profanation of this very blood. It is, then, as if we were to say to God: "Lord, I clearly see what engagement I make, and I know what risk I run, but rather than not satisfy my own desires, I consent that the blood of thy Son shall fall upon me. This will be to bear the chastisement of it, but I will indulge my passion; thou hast a right to draw forth from it a just indignation, but nevertheless I will complete my undertaking."

Thus we condemn ourselves. And here, Christians, is one of the essential foundations of this terrible mystery of the eternity of the punishments with which faith threatens us, and against which our reason revolts. We suppose that we cannot have any knowledge of it in this life, and we are not aware, says St. Chrysostom, that we find it completely in the blood of the Savior, or rather in our profanation of it every day. For this blood, my brethren, adds this holy doctor, is enough to make eternity, not less frightful, but less incredible. And behold the reason, This blood is of an infinite dignity; it can therefore be avenged only by an infinite punishment. This blood, if we destroy ourselves, will cry eternally against us at the tribunal of God. It will eternally excite the wrath of God against us. This blood, falling upon lost souls, will fix a stain upon them, which shall never be effaced. Their torments must consequently never end. A reprobate in hell will always appear in the eyes of God stained with that blood which he has so basely treated. God will then always abhor him; and, as the aversion of God from his creature is that which makes hell, it must be inferred that hell will be eternal. And in this, O my God, thou art sovereignly just, sovereignly holy, and worthy of our praise and adoration. It is in this way that the beloved Disciple declared it even to God himself in the Apocalypse. Men, said he, have shed the blood of thy servants and of thy prophets; therefore they deserve to drink it, and to drink it from the cup of thine indignation. "For they have shed the blood of saints and prophets, and thou hast given them blood to drink." An expression which the Scripture employs to describe the extreme infliction of Divine vengeance. Ah! if the blood of the prophets has drawn down the scourge of God upon

men, what may we not expect from the blood of Jesus Christ? If the blood of martyrs is heard crying out in heaven against the persecutors of the faith, how much more will the blood of the Redeemer be heard!

Then once more, Christians, behold the deplorable necessity to which we are reduced. This blood which flows from Calvary either demands grace for us, or justice against us. When we apply ourselves to it by a lively faith and a sincere repentance, it demands grace; but when by our disorders and impieties we check its salutary virtue, it demands justice, and it infallibly obtains it. It is in this blood, says St. Bernard, that all righteous souls are purified; but by a prodigy exactly opposite, it is also in this same blood that all the sinners of the land defile themselves, and render themselves, if I may use the expression, more hideous in the sight of God.

Ah! my God, shall I eternally appear in thine eyes polluted with that blood which washes away the crimes of others? If I had simply to bear my own sins, I might promise myself a punishment less rigorous, considering my sins as my misfortune, my weakness, my ignorance. Then, perhaps, thou wouldst be less offended on account of them. But when these sins with which I shall be covered shall present themselves before me as so many sacrileges with respect to the blood of thy Son; when the abuse of this blood shall be mixed and confounded with all the disorders of my life; when there shall not be one of them against which this blood shall not cry louder than the blood of Abel against Cain; then, O God of my soul! what will become of me in thy presence? No, Lord, cries the same St. Bernard, affectionately, suffer not the blood of my Savior to fall upon me in this manner. Let it fall upon me to sanctify, but let it not fall upon me to destroy. Let it fall upon me in a right use of the favors which are the Divine overflowings of it, and not through the blindness of mind and hardness of heart, which are the most terrible punishments of it. Let it fall upon me by the participation of the sacred Eucharist, which is the precious source of it, and not by the maledictions attached to the despisers of thy sacraments. In fine, let it fall upon me by influencing my conduct and inducing the practice of good works and let it not fall upon me for my wanderings, my infidelities, my obstinacy, and my impenitence. This, my brethren, is what we ought to ask to-day from Jesus Christ crucified. It is with these views that we

ought to go to the foot of the cross and catch the blood as it flows. He was the Savior of the Jews as well as ours, but this Savior, St. Augustine says, the Jews have converted into their judge. Avert from us such an evil. May he who died to save us, be our Savior. May he be our Savior during all the days of our lives. And may his merits shed upon us abundantly, lose none of their efficacy in our hands, but be preserved entire by the fruits we produce from them. May he be our Savior in death. And at the last moment may the cross be our support, and thus may he consummate the work of our salvation which he has begun. May he be our Savior in a blessed eternity, where we shall be as much the sharer in his glory as we have been in his sufferings.

GEORGE S. BOUTWELL

(1818–)

THERE were eleven articles in the bill of impeachment brought against President Andrew Johnson, but the realities of the proceeding were summed in the last — that on which he was arraigned for his hostility to the reconstruction program of Congress.

The impeachment resolutions having been introduced in the House, the leading speech in support of them was made by Hon. George Sewall Boutwell, of Massachusetts, who, as one of the managers of the impeachment proceedings, made an argument which, especially as it bears on the eleventh article, is of enduring historical importance. He was chairman of the committee which drafted the articles of impeachment, and as he afterwards drafted the fifteenth amendment and led the debate on it in the House, he may be considered as fairly representative of that great and determined constituency which forced the acceptance of the Civil War amendments and the reconstruction acts in spite of the desperate resistance of a minority as skillful and as uncompromising as ever opposed the inevitable in the history of the world.

Mr. Boutwell had been a Democrat before issues were forced on the slavery question. He represented in Massachusetts a class analogous to that from which Andrew Johnson sprang in Tennessee. He was a self-made man as Johnson was, though his disadvantages had not been as great as those overcome by the Tennessee tailor. Born in Brookline, Massachusetts, January 28th, 1818, Mr. Boutwell began life as a clerk in a country store at Groton Centre. While working in the store he studied law, but though admitted to the bar, he never practiced his profession until after his election to Congress. In 1849 he supported Van Buren for the presidency, and two years later he was elected to the Massachusetts legislature as a Democrat. While he was still keeping his country store at Groton Centre, the Democrats nominated him for Governor of Massachusetts. He was much ridiculed by what its enemies have called the "Brahmin class," but in spite of this ridicule, — perhaps because of it, — he was triumphantly elected Governor in his third race.

Harvard vindicated his scholarship by giving him the degree of LL.D., and the "store-keeper of Groton Centre," from the time he

finally left his counter for the Massachusetts Statehouse, was one of the most prominent men of the most important period in American history. He was re-elected Governor of Massachusetts as a Democrat in 1852, but in 1856 he joined the Republican party. He was a member of the Peace Congress of 1861, and President Lincoln appointed him Commissioner of Internal Revenue. Elected to the House of Representatives in 1864, he served three terms and was elected to the Senate in 1873. His service as Secretary of the Treasury under President Grant was his last in appointive office, and, after his retirement from public life, he devoted himself to the practice of law in Washington city.

PRESIDENT JOHNSON'S «HIGH CRIMES AND MISDEMEANORS»

(In the House of Representatives, Proposing the Impeachment of the President, 1868)

If the position I have taken is sound, that the meaning of the phrase "high crimes and misdemeanors" is to be ascertained by reference to the principles of the English common law of crimes, Blackstone's definition, "that a crime or misdemeanor is an act committed or omitted in violation of a public law either forbidding or commanding it," becomes important. I stand upon this definition of the great writer upon English law as the connecting link between the theory of the law that I maintain and the facts which in this case are proved.

It is to be observed in connection with Blackstone's definition that in our system the Constitution and the statutes are the "public law" of which he speaks, and any act done by the President which is forbidden by the law or by the Constitution, or the omission by him to do what is by the law or the Constitution commanded, is a "high crime and misdemeanor," and renders him liable to impeachment and removal from office.

He is amenable to the House and the Senate in accordance with the great principles of public law of which the Constitution of the United States is the foundation. And it is true, in a higher and better sense than it is true of the statutes, that the President of the United States is bound to support the Constitution, the vital part of which, in reference to the public affairs of the country, is that he shall take care that the laws be faithfully executed, and he violates that great provision of the Constitution,

especially when he himself disregards the law either by doing that which is forbidden or neglecting that which he is commanded to do.

Sir, in approaching the discussion of the transactions of which we complain, I labor under great difficulties, such as are incident to the case. The President has in his hands the immense patronage of the government. Its influence is all-pervading. The country was disappointed, no doubt, in the report of the committee, and very likely this House participated in the disappointment, that there was no specific, heinous, novel offense charged upon and proved against the President of the United States. It is in the very nature of the case that no such heinous offense could be proved. If we understand the teachings of the successive acts which are developed in the voluminous report of the testimony, and if we understand the facts which are there developed, they all point to one conclusion, and that is that the offense with which the President is charged, and of which I believe by history he will ultimately be convicted, is that he used as he had the opportunity, and misused as necessity and circumstances dictated, the great powers of the nation with which he was intrusted, for the purpose of reconstructing this government in the rebellion, so that henceforth this Union, in its legitimate connection, in its relations, in its powers, in its historical character, should be merely the continuation of the government which was organized at Montgomery and transferred to Richmond.

If, sir, this statement unfolds the nature of the case, there would not be found any particular specific act which would disclose the whole of the transaction. It was only by a series of acts, by a succession of events, by participation direct or indirect in numerous transactions, some of them open and some of them secret, that this great scheme was carried on and far on toward its final consummation. Hence, it happens that when we present a particular charge, it is one which for a long time has been before the public. The country has heard of it again and again. Men do not see in that particular offense any great enormity. Then we are told that this particular act was advised by this cabinet officer, and that act assented to by another cabinet officer. This matter was discussed in cabinet meeting, the other was considered in a side-chamber, and, therefore, the President is not alone responsible for anything that has been done. But, sir, I

assert that, whoever else may be responsible with him, he is responsible for himself. Any other theory is destructive to public liberty. We understand the relations which subsisted between the President and his cabinet officers. The tenure-of-office act gave the latter a degree of independence. But, whatever were the subsisting relations, the President cannot shield himself by their counsel, and claim immunity for open, known, and willful violations of the laws of the land. I do not speak now of the errors of judgment, but of open and avowed illegal acts personally done or authorized by himself. But he has not always had even the countenance of his cabinet officers. The test-oath was suspended by the President against the opinion of Attorney-General Speed. If cabinet officers have been concerned in these illegal transactions, I have for them, to a large extent, the same excuse that I have for myself, the same that I have for the members of this House and for the people of this country. In the beginning they did not understand the President's character, capacity, and purposes.

His capacity has not been comprehended by the country. Violent sometimes in language, indiscreet in manner, impulsive in action, unwise in declamation, he is still animated by a persistency of purpose which never yields under any circumstances, but seeks by means covert and tortuous, as well as open and direct, the accomplishment of the purpose of his life.

I care not to go into an examination — indeed, I have neither the time nor the taste for it now — of the tortuous ways by which he has controlled men who in the public estimation are superior to himself. But my excuse for cabinet officers, for members of Congress, for the country, is that in 1865, when he issued his proclamation for the reorganization of North Carolina, no one understood him. General Grant in his testimony says that he considered the plan temporary, to be approved or annulled when Congress should meet in December. But when Congress assembled the President told us that the work was ended; that the rebellious States were restored to the Union. He then planted himself firmly upon the proposition laid down in his North Carolina proclamation in defiance of the decision of the Supreme Court of the United States that the power was in Congress to decide whether the government of a State was republican or not; in defiance of the cardinal principle of the sovereignty of the people through Congress. He ratified substantially in his

message that which he had assumed merely in the proclamation of the twenty-ninth of May, that he was the United States for the purpose of deciding whether the government of a State was republican or not.

Sir, if this whole case rested merely upon that assumption, that exercise of power, I maintain that it would bring him specifically and exactly within control of this House, for the purpose of arraigning him before the Senate upon the charge of seizing and usurping the greatest power of the legislative department of the government, unless it be that of taxation, which he has also usurped and exercised in defiance of the Constitution. But even then the nature of the proceedings was not fully understood and his motives were only partially disclosed. The public mind did not comprehend the character and extent of the usurpation.

Thus it was that his motive was concealed. He was not understood, and the charity of the country silenced suspicions of evil. But he moved on step by step. The country in the meanwhile was under the influence of his bold declarations, made frequently from the fourteenth of April to about the first of July 1865; declarations which, even in the coldest of us, made the blood kindle in our veins, as he set forth the punishment to which the rebels were entitled. Even the most violent of the Northern people, they who had suffered from the war, those who had offered their sons, their brothers, and their husbands in sacrifice for the Republic, shuddered when they listened to his declamation as to the power and duty of this government to punish those who had been engaged in the rebellion. But from July 1865 his conduct and his policy have been entirely opposed to the declarations made in the spring and early summer of that year. I see in those declarations only this: that they were designed and intended, when they were uttered, to conceal from the public the great purpose he had in view, which was to wrest this government from the power of the loyal people of the North and turn it over to the tender mercies of those who had brought upon this country all the horrors of civil war.

I pass, sir, to the testimony of Judge Mathews, of Ohio, a person whom I never saw but once, and of whom I know nothing except what the record discloses. He was an officer of the Northern army, and he has been a judge of some of the courts in Cincinnati or vicinity. He says that, in the month of February 1865, when Mr. Johnson was passing from Tennessee to

Washington, to take the oath of office as Vice-President, he called upon him at the Burnett House. The conversation was apparently unimportant, but it discloses a purpose on the part of Mr. Johnson. He said to Judge Mathews, "You and I were old Democrats." "Yes," replied Judge Mathews. Says Mr. Johnson, "I will tell you what it is: if the country is ever to be saved, it is to be done through the old Democratic party." That was in February 1865. He had then received the suffrages of a free and generous people. They had taken him from Tennessee, where he would have had no abiding-place but with the armies of the Republic that protected him in his person and property. He was then entering upon the second office in the gift of the people, chosen by the great party of power and of progress in the country, which had saved the Union in its days of peril. No act had been by them done which could possibly have alienated him from them. Jefferson Davis was still at Richmond. The armies of Lee menaced the capital of his country. Andrew Johnson was approaching that capital for the purpose of taking the oath of office. That capital was merely a fortified garrison. He then declares that the country cannot be saved except by the old Democratic party.

What was the old Democratic party? It was the party of the South; it was made up of those men in the southern country who entered into the rebellion. That casual expression, dropped at the Burnett House in Cincinnati in February 1865, discloses his mysterious course from that day to this. I do not speak now of those Democrats of the North who stood by the flag of the country, who maintained the cause of the Union, but I speak of that old Democratic party of which he spoke, whose inspiring principle was devotion to slavery, hatred to republican institutions and the cause of the Union and of liberty. It was to them that Mr. Johnson, in February 1865, turned his eyes for the salvation of the country. He was then Vice-President only, but his career as President illustrates his devotion to the purpose he then entertained.

I come now to a brief statement of those acts of the President which disclose his motives and establish his guilt. First, he and his friends sedulously promulgated the idea that what he did in the year 1865 was temporary.

Then came his message of December 1865, which disclosed more fully his ulterior purpose.

Then came the speech of February 22d, 1866, in which he arraigned the Congress of the United States collectively and individually, and, as I believe, made use of expressions which, uttered by a sovereign of Great Britain in reference to Parliament and to individual members of Parliament, would have led to most serious consequences, if not to the overthrow of the government.

Then came his vetoes of the various reconstruction measures. I know very well that it will be said that the President has the veto power in his hands. To be sure he has; but it is a power to be exercised like the discretion of a court, in good faith, for proper purposes, in honest judgment and good conscience, and not persistently in the execution of a scheme which is in contravention of the just authority of the legislative branch of the government. It was exercised, however, by the President for the purpose of preventing reconstruction by congressional agency and by authority of law.

Then came his interference by his message of the twenty-second of June, 1866, and by other acts, all disclosing and furthering a purpose to prevent the ratification of the pending constitutional amendment, a matter with which, as the Executive of the country, he had no concern whatever. The Constitution provides that the House and the Senate, by specified means, may propose amendments to the Constitution; and if any subject is wholly separated from executive authority or control, it is this power to amend the Constitution of the United States. The Constitution reserves this power to Congress, and to the people, excluding the President. In the same year he suspended the test-oath, against the advice of the Attorney-General, and appointed men to office who, as he well knew, could not take that oath. The oath was prescribed for the purpose of protecting the country against the presence of disloyal persons in office — a measure necessary to the public safety. Can any act be more reprehensible? Can any act be more criminal? Can any act be more clearly within Blackstone's definition of "crimes and misdemeanors"?

Then follows his surrender of abandoned lands. In 1865 we passed the first Freedman's Bureau bill, in which we set apart the abandoned lands for the negroes and refugees of the South. In violation of law and without authority of law he has restored them to their former rebel owners. This class of property was of the value of many millions of money.

We had captured in the South vast amounts of railway property. All these millions of property he had turned over to their former rebel proprietors. In many instances, as in the case of one railway, the government itself, under his special direction and control, in the State of Tennessee, constructed fifty-four miles of railway at an expense of more than two million dollars. This railway, with others, was turned over without consideration, without power to make reclamation, or to obtain compensation, and all without authority of law.

We possessed a vast amount of rolling-stock used on Southern roads during the war, some it captured from the enemy. The rolling-stock captured he restored without money and without price. Other portions of it, constructed by the Government of the United States, or purchased of manufacturers or of the railroad companies, he sold without authority of law to corporations that, according to the principles of law, were insolvent. When the time arrived for payment to the government many of them neglected to comply with the conditions of sale. One of those corporations, the Nashville and Chattanooga Railroad, Tennessee, made an exhibit by which it appeared they had money on hand to pay the government what they owed it. The officers of the government demanded payment, and threatened to take possession of the road in case of further neglect. President Johnson, by his simple order, and that, as far as is known, without consultation with any member of the cabinet, authorized, or rather directed, a delay or postponement in the collection of this debt. Agreeably to a previous order which he had issued, the interest on the bonds guaranteed by the State of Tennessee to this road, which had been due three or four years, were then paid out of money which, upon every principle of reason, equity, and law, belonged to the government. The money had been earned by the use of the rolling-stock which the government had furnished.

Mr. Johnson's order was in utter disregard of the great principle that of all creditors the government is to be paid first. Under no circumstances does the law concede to the citizen the right of payment until the claim of the sovereign is satisfied.

One important fact in connection with this transaction is, that the President himself was the holder of these Tennessee State bonds, issued for the benefit of this road, to the amount of either nineteen thousand or thirty thousand dollars; and that of that money, which upon the contract and by every principle of law

was due to the United States, he received past interest for about four years. A small matter, you may say; a small matter, the country may say; but in a public trust he had no right, in the first place, to make sale of this property; secondly, he had no right to postpone payment; and above all, he had no right to delay payment for the purpose of receiving to himself that which belonged to the government. Nor is it any excuse for him that there were other holders, whether loyal or rebel, who shared the benefits of this transaction.

Then there are connected with these proceedings other public acts, such as the appointment of provisional governors for North Carolina and the other nine States without any authority of law. Not only that, but he authorized the payment from the War Department of those salaries, notwithstanding there had been no appropriation by law, and notwithstanding the Constitution of the United States says that no money shall be drawn from the Treasury but in consequence of an appropriation by law.

When you bring all these acts together; when you consider what he has said; when you consider what he has done; when you consider that he has appropriated the public property for the benefit of the rebels; when you consider that in every public act, as far as we can learn, from May 1865 to the present time, all has tended to this great result, the restoration of the rebels to power under and in the government of the country; when you consider all these things, can there be any doubt as to his purpose, or doubt as to the criminality of his purpose, and his responsibility under the Constitution.

It may not be possible, by specific charge, to arraign him for this great crime, but is he therefore to escape? These offenses which I have enumerated, which are impeachable — and I have enumerated but a part of them — are the acts, the individual acts, the subordinate crimes, the tributary offenses to the accomplishment of the great object which he had in view. But if, upon the body of the testimony, you are satisfied of his purpose, and if you are satisfied that these tributary offenses were committed as the means of enabling him to accomplish this great crime, will you hesitate to try him and convict him upon those charges of which he is manifestly guilty, even if they appear to be of inferior importance, knowing that they were in themselves misdemeanors, that they were tributary offenses, and that in this way, and in this way only, can you protect the State against the

final consummation of his crime? We have not yet seen the end of this contest.

I am not disposed to enter into the region of prophecy, but we can understand the logic of propositions. The propositions which the President has laid down in his last message, and elsewhere, will lead to certain difficulty if they are acted upon. Whether they will be acted upon I cannot say. The first proposition is, that under some circumstances, an act of Congress may be, in his judgment, so unconstitutional that he will violate the law and utterly disregard legislative authority. This is an assumption of power which strikes at the foundation of the government. The Constitution authorizes Congress to pass bills. When they have been passed, they are presented to the President for his approval or objection. If he objects to a bill for constitutional or other reason, he returns it to the House in which it originated; and then and there his power over the subject is exhausted. If the House and the Senate by a two-thirds, vote pass a bill, it becomes a law, and, until it is repealed by the same authority or annulled by the Supreme Court, the President has but one duty, and that is to obey it; and no consideration or opinion of his as to its constitutionality will defend or protect him in any degree. The opposite doctrine is fraught with evils of the most alarming character to the country. If the President may refuse to execute or may violate a law because he thinks it unconstitutional in a certain particular, another President may disregard it for another reason; and thus the government becomes not a government of laws, but a government of men. Every civil officer has the same right in this respect as the President. If the latter has the right to disregard a law because he thinks it unconstitutional, the Secretary of the Treasury and every subordinate have the same right. Is that doctrine to prevail in this country?

But coupled with that declaration is another declaration, that the negroes of the South have no right whatever to vote. Our whole plan of reconstruction is based upon the doctrine that the loyal people of the South, black and white, are to vote. Now, while there is no evidence conclusively establishing the fact, it is still undoubtedly true that thousands and tens of thousands of white men in the States recently in rebellion have abstained from participation in the work of calling the conventions, because they have been stimulated by the conduct of the President to

believe that they will ultimately be able to secure governments from which the negro population will be excluded. What is our condition to-day? Governments are being set up in the ten States largely by the black people, and without the concurrence of the whites, that concurrence being refused, to a large extent, through the influence of the President. Are we to leave this officer, if we judge him guilty of high crimes and misdemeanors, in control of the army and navy, with his declaration upon the record that under certain circumstances he will not execute the laws? He has the control of the army. Do you not suppose that next November a single soldier at each polling-place in the Southern country, aided by the whites, could prevent the entire negro population from voting? And, if it is for the interest of the President to do so, have we any reason to anticipate a different course of conduct? At any rate, such is the logic of the propositions which he has presented to us. If that logic be followed, the next presidential election will be heralded by a civil war, or the next inauguration of a President of the United States will be the occasion for the renewal of fratricidal strife.

Mr. Speaker, we are at present involved in financial difficulties. I see no way of escape while Mr. Johnson is President of the United States. I assent to much of what he has in his message concerning the effects of the tenure-of-office act. From my experience in the internal revenue office, I reach the conclusion that it is substantially impossible to collect the taxes while the tenure-of-office act is in force; and I have no doubt that whenever a new administration is organized, of whatever party it may be, some of the essential provisions of that act will be changed. The reason, Mr. Speaker, of the present difficulty is due to the fact that the persons engaged in plundering the revenues of the country are more or less associated criminally with public officers. The character of those public officers can be substantially known in the internal revenue office and in the treasury department; but if the Secretary of the Treasury and the President, before they can remove officers against whom probable cause exists, are obliged to wait until they have evidence which will satisfy the Senate of their guilt, the very process of waiting for that evidence to be procured exhausts the public revenues. There is but one way of overcoming this difficulty. When the President, the Secretary of the Treasury, and the Commissioner of Internal Revenue, are in harmony, and the commissioner is

satisfied from the circumstances existing that an officer is in collusion with thieves, he can ask the President for the removal of that man: and then and there should exist the power of removal by a stroke of the pen. Neither the official nor his friends should know the reason thereof. Nothing so inspires officials with zeal in the discharge of their duties as to feel that if they are derelict their commissions may at any moment he taken from them.

But what is our position to-day? Can this House and the Senate, with the knowledge that they have of the President's purposes and of the character of the men who surround him, give him the necessary power? Do they not feel that, if he be allowed such power, these places will be given to worse men? Hence I say that with Mr. Johnson in office from this time until the fourth of March, 1869, there is no remedy for these grievances. These are considerations only why we should not hesitate to do that which justice authorizes us to do if we believe that the President has been guilty of impeachable offenses.

Mr. Speaker, all rests here. To this House is given under the Constitution the sole power of impeachment; and this power of impeachment furnishes the only means by which we can secure the execution of the laws. And those of our fellow-citizens who desire the administration of the law ought to sustain this House while it executes that great law which is in its hands and which is nowhere else, while it performs a high and solemn duty resting upon it by which that man who has been the chief violator of the law shall be removed, and without which there can be no execution of the law anywhere. Therefore the whole responsibility, whatever it may be, for the nonexecution of the laws of the country is, in the presence of these great facts, upon this House. If this House believes that the President has executed the laws of the country, that he has obeyed the provision of the Constitution to take care that the laws be faithfully executed, then it is our duty to sustain him, to lift up his hands, to strengthen his arms; but if we believe, as upon this record I think we cannot do otherwise than believe, that he has disregarded that great injunction of the Constitution to take care that the laws be faithfully executed, there is but one remedy. The remedy is with this House, and it is nowhere else. If we neglect or refuse to use our powers when the case arises demanding decisive action, the government ceases to be a government of laws and becomes a government of men.

JOHN C. BRECKENRIDGE

(1821–1875)

JOHN CABELL BRECKENRIDGE was born in Kentucky in 1821. After graduating at Transylvania University and studying law, he settled at Lexington. Using his power as an orator in the discussion of the slavery issue, he became popular as a radical opponent of the radical enemies of slavery. Elected Vice-President on the ticket with Buchanan in 1856, the events which culminated in the John Brown raid of 1859 increased his popularity, and in 1860 he was nominated for the presidency by one wing of the Democratic party. After the election of Lincoln, Kentucky sent Breckenridge to the United States Senate, from which he retired to become a major-general in the Confederate army. After the fall of the Confederacy he spent several years abroad, but finally returned to Kentucky. He died in 1875.

THE DRED SCOTT DECISION

(Delivered before the Kentucky Legislature, December 1859)

GENTLEMEN, I bow to the decision of the Supreme Court of the United States upon every question within its proper jurisdiction, whether it corresponds with my private opinion or not; only, I bow a trifle lower when it happens to do so, as the decision in this Dred Scott case does. I approve it in all its parts as a sound exposition of the law and constitutional rights of the States, and citizens that inhabit them. . . .

I was in the Congress of the United States when that Missouri line was repealed. I never would have voted for any bill organizing the Territory of Kansas as long as that odious stigma upon our institutions remained upon the statute book. I voted cheerfully for its repeal, and in doing that I cast no reflection upon the wise patriots who acquiesced in it at the time it was established. It was repealed, and we passed the act known as

the Kansas-Nebraska Bill. The Abolition, or *quasi* Abolition, party of the United States were constantly contending that it was the right of Congress to prohibit slavery in the common Territories of the Union. The Democratic party, aided by most of the gentlemen from the South, took the opposite view of the case. . . . A considerable portion of the Northern Democracy held that slavery was in derogation of common right and could only exist by force of positive law. They contended that the Constitution did not furnish that law, and that the slaveholder could not go into the Territories with his slaves with the Constitution to authorize him in holding his slaves as property, or to protect him. The South generally, without distinction of party, held the opposite view. They held that the citizens of all the States may go with whatever was recognized by the Constitution as property, and enjoy it. That did not seem to be denied to any article of property except slaves. Accordingly, the bill contained the provision that any question in reference to slavery should be referred to the courts of the United States, and the understanding was that, whatever the judicial decision should be, it would be binding upon all parties, not only by virtue of the agreement, but under the obligation of the citizen, to respect the authority of the legally constituted courts of the country. . . .

The view that we in the Southern States took of it was sustained—that in the Territories, the common property of the Union, pending their Territorial condition, neither Congress nor the Territorial government had the power to confiscate any description of property recognized in the States of the Union. The court drew no distinction between slaves and other property. It is true some foreign philanthropists and some foreign writers do undertake to draw this distinction, but these distinctions have nothing to do with our system of government. Our government rests not upon the speculations of philanthropic writers, but upon the plain understanding of a written constitution which determines it, and upon that alone. It is the result of positive law; therefore we are not to look to the analogy of the supposed law of nations, but to regard the Constitution itself, which is the written expression of the respective powers of the government and the rights of the States.

Well, that being the case, and it having been authoritatively determined by the very tribunal to which it was referred, that Congress had no power to exclude slavery from the Territories,

and judicially determined that the Territorial legislatures, authorities created by Congress, had not the power to exclude or confiscate slave property, I confess that I had not anticipated that the doctrine of "unfriendly legislation" would be set up. Hence, I need not say to you that I do not believe in the doctrine of unfriendly legislation; that I do not believe in the authority of the Territorial legislatures to do by indirection what they cannot do directly. I repose upon the decision of the Supreme Court of the United States, as to the point that neither Congress nor the Territorial legislature has the right to obstruct or confiscate the property of any citizen, slaves included, pending the Territorial condition. I do not see any escape from that decision, if you admit that the question was a judicial one; if you admit the decision of the Supreme Court; and if you stand by the decision of the highest court of the country. . . .

JOHN BRIGHT

(1811–1889)

JOHN BRIGHT has been called the most eloquent of the Liberal orators of his day, and he was certainly the most strenuous, the most forcible, as he was no doubt the most effective of them all.

To appreciate his relations to the England of his time, to the British empire, and to the movement of the world in general, it is necessary to keep in view the fact that he stood for the largest possible measure of free intercourse and uncoerced co-operation among all men in all countries, and conversely for the minimum of forcible interference of nation with nation, class with class, individual with individual.

This idea gave him his strength in politics, and it also fixed his limitations. The England of his day was engaging more and more actively in "world-politics," while he preached nonintervention. His opposition to the Crimean War defeated him for Parliament in 1857 when he sought re-election before a Manchester constituency. Vindicated by election from Birmingham, he remained in Parliament for more than thirty years. In 1882, when a member of the Gladstone cabinet, he had presented to him the question of the coercive extension of "spheres of influence," as it was involved in the bombardment of Alexandria. However easily other Liberals might find reasons reconciling such aggressive acts to their party principles and to their ideas of public policy, the habits and tendencies of his lifetime governed him and compelled his resignation from the cabinet.

If honesty, strength of purpose, and courage to hold a predetermined course regardless of the opinions of others, constitute the chief grounds for respecting the character of a public man, then John Bright, regardless of the nature of his opinions, is one of the most respectable public men of his century. Perhaps it is true that a party under his leadership would have been reduced to a mere balance of power, but it is probable that the force he stands for would make such a balance of power the controlling factor in every real crisis. Mr. Gladstone was an organizer, because with many of the same qualities which made Bright admirable, and illustrating the same tendencies almost to the point of parallelism, he was more capable of looking into the immediate future and seeing all that in

looking to the long run Bright was likely to pass over as immaterial or even as contemptible. It would not be just or historical to call Gladstone an opportunist, but he was a party leader, a great organizer, a man who, while he was directed throughout his life by principle, had that desire for immediate practical results which increases political effectiveness in a given case, but often works to prevent the most effective operation of principle in shaping the course of events in that higher domain of politics where the forces which govern are too manifold and involved to be comprehended by any mind, however great. It is in this domain that men like Bright are most effective. It is not the fault of Bright that a strong conservative reaction has overtaken the English world at the close of the nineteenth century. He asked no quarter, and on questions of principle conceded nothing; yet few men have been really more conservative in method than he. It is not necessary to assume him correct in his methods of applying his theories, but if we look into his general plan of work in public affairs we cannot fail to see that he is, above everything, the advocate of quiet and peaceful growth,—of development through natural processes of education and evolution. He most ardently desired that the world should grow better, and, being an optimist by nature, he was fully convinced that, if given an opportunity to do so in peace, it would develop to the extent of the removal of those oppressive restrictions which check its progress.

He was the son of a Quaker cotton spinner of Lancashire, and the influence of this heredity affected him deeply, showing itself constantly in his work for the peaceful extension of industrial helpfulness and coöperation throughout the world, regardless of national boundaries. Born near Rochdale, in Lancashire, in 1811, he grew up at a time when the condition of manufacturing operatives was often miserable in the extreme. From his entrance into public life, in 1843, when he took his seat in Parliament, until within a short time of his death, he was at the front in every fight for reform. He worked with Cobden against the corn laws, and was himself the moving spirit in the agitation against the game laws, under which a man's liberty, or even his life, had often been accounted less important than the security of a rabbit warren. In all questions which concerned the United States, his principles almost inevitably carried him to the defense of American institutions. He dissented from Gladstone on Irish Home Rule,—for the same reason, no doubt, which led him to sympathize with the side of the Union in the American Civil War. He died March 27th, 1889.

WILL THE UNITED STATES SUBJUGATE CANADA?

(Delivered in the House of Commons on the Defense of Canada in 1865)

I HOPE the debate on the defense of Canada will be useful, though I am obliged to say, while I admit the importance of the question brought before the House, that I think it is one of some delicacy. Its importance is great, because it refers to the possibility of a war with the United States, and its delicacy arises from this, that it is difficult to discuss the question without saying things which tend rather in the direction of war than of peace. The difficulty now before us is that there is an extensive colony or dependency of this country adjacent to the United States, and if there be a war party in the United States,—a party hostile to this country,—that circumstance affords it a very strong temptation to enter without much hesitation into a war with England, because it feels that through Canada it can inflict a great humiliation on this country. At the same time, it is perfectly well known to all intelligent men, and especially to all statesmen and public men of the United States,—it is as well known to them as it is to us,—that there is no power whatever in this United Kingdom to defend successfully the territory of Canada against the United States. We ought to know that in order to put ourselves right upon the question, and that we may not be called upon to talk folly and to act folly. The noble lord at the head of the government—or his government, at least—is responsible for having compelled this discussion; because if a vote is to be asked from the House of Commons—and it will only be the beginning of votes—it is clearly the duty of the House to bring the matter under discussion. That is perfectly clear for many reasons, but especially since we have heard from the Governor-General of Canada that in the North American provinces they are about to call into existence a new nationality; and I, for one, should certainly object to the taxation of this country being expended needlessly on behalf of any nationality but our own. What I should like to ask the House first of all is this: Will Canada attack the States? Certainly not. Next, will the States attack Canada, keeping England out of view altogether? Certainly not. There is not a man in the United States, probably, whose voice or opinion would have the smallest influence, who

would recommend or desire that an attack should be made by the United States on Canada with a view to its forcible annexation to the Union. There have been dangers, as we know, on the frontier lately. The Canadian people have been no wiser than some Members of this House, or a great many men among the richer classes in this country. When the refugees from the South,—I am not speaking of the respectable, honorable men from the South, many of whom have left that country during their troubles, and for whom I feel the greatest commiseration, but I mean the ruffians from the South, who in large numbers have entered Canada, and who have employed themselves there in a course of policy likely to embroil us with the United States,—when they entered Canada the Canadians treated them with far too much consideration. They expressed very openly opinions hostile to the United States, whose power lay close to them. I will not go into details with which we are all acquainted: the seizing of the American ships on the lakes, the raid into the State of Vermont, the robbery of a bank, the killing of a man in his own shop, the stealing of horses in open day, nor the transaction, of which there is strong proof, that men of this class conspired to set fire to the greatest cities of the Union. All these things have taken place, and the Canadian government made scarcely any sign. I believe an application was made to the noble lord at the head of the foreign office a year ago to stimulate the Canadian government to take some steps to avoid the dangers which have since arisen; but with that sort of negligence which has been seen so much here, nothing was done until the American government, roused by these transactions, showed that they were no longer going to put up with them. Then the Canadian government and people took a little notice. I have heard a good many people complain of Lord Monck's appointment; that he was a follower of the noble lord who had lost his election, and therefore must be sent out to govern a province; but I will say of him that from all I have heard from Canada he has conducted himself there in a manner very serviceable to the colony, and with the greatest possible propriety as representing the sovereign. He was all along favorable to the United States; his cabinet, I believe, has always been favorable, and I know that at least the most important newspaper there has always been favorable to the North. But still nothing was done until these troubles began, and then everything was done. Volunteers were

sent to the frontier, the trial of the raiders was proceeded with, and probably they may be surrendered; and the Canadian Chancellor of the Exchequer has proposed a vote in the new Parliament to restore to the persons at St. Alban's who were robbed, the fifty thousand dollars which were taken from them. What is the state of things now? There is the greatest possible calm on the frontier. The United States have not a syllable to say against Canada. The Canadian people found they were wrong; they have now returned to their right minds, and there is not a man in Canada at this moment, I believe, who has any kind of idea that the United States government has the smallest notion of attacking them, now or at any future time, on account of anything which has transpired between Canada and the United States. If there comes a war in which Canada may be made a victim, it will be a war got up between the government in Washington and the government in London, and it becomes us to inquire whether that is at all probable. Is there anybody in the House in favor of such a war? I notice with the greatest delight a change which I said would some day come — and I was not a false prophet — in the line taken here with regard to the American question. Even the noble lord, the member for Stamford, spoke to-night without anger, and without any of that ill feeling which, I am sorry to say, on previous occasions he has manifested in discussing this question. I hope there is no man out of bedlam, or, at least, who ought to be out, — nay, I suspect there are few men in bedlam, who are in favor of our going to war with the United States.

In taking this view I am not arguing that we regard the vast naval and military power and the apparently boundless resources of that country. I will assume that you, my countrymen, have come to the conclusion that it is better for us not to make war with the United States, not because they are strong, but on the higher ground that we are against wars. Our history for the last two hundred years and more has recorded sufficient calamitous and, for the most part, unnecessary wars. We have had enough of whatever a nation can gain from military success and glory. I will not speak of the disasters which might follow to our commerce and the widespread ruin that might be caused by a war. We are a wiser and better people than we were in this respect, and we should regard a war with the United States as even a greater crime, if needlessly entered into, than a war with almost

any other nation in the world. Well, then, as to our government, with a great many blunders, one or two of which I will comment on by-and-by, they have preserved neutrality during this great struggle. We have had it stated in the House, and there has been in the House a motion, that the blockade was ineffectual and ought to be broken. Bad men of various classes, and, perhaps, agents of the Richmond conspiracy, and persons, it is said, of influence from France,—all these are stated to have brought pressure to bear on the noble lord and his colleagues with a view of inducing them to take part in this quarrel, but all this has failed to break our neutrality. Therefore, I say, we may very fairly come to the conclusion that England is not for war. If anything arises on any act of aggression out of which Canada might suffer, I believe the fault is not with this country. That is a matter which gives me great satisfaction; and I believe the House will agree with me that I am not misstating the case. But, let me ask, are the United States for war? because, after all, I know the noble lord, the member for Stamford, has a lurking idea that there is some danger from that quarter, and I am afraid the same feeling prevails in minds not so acute as that which the noble lord possesses. Now, if we could have at the bar of the House Earl Russell, as representing her Majesty's government, and Mr. Adams, as representing the government of President Lincoln, and ask them their opinions, I think they would tell us what the Secretary for the Colonies has told us tonight: that the relations between those governments are peaceable; and I know, from the communications between the minister of the United States and our minister for foreign affairs, that our relations with the United States are perfectly amicable and have been growing more and more amicable for many months past. And I will take the liberty of expressing this opinion, that there has never been an administration in the United States since the time of the Revolutionary War up to this hour more entirely favorable to peace with all foreign countries, and more especially favorable to peace with this country, than the governernment of which President Lincoln is the head. I will undertake to say that the most exact investigator of what has taken place will be unable to point to a single word he, President Lincoln, has said, or a single line he has written, or a single act he has done, since his first accession to power, that betrays that anger or passion or ill feeling towards this country which some

people here imagine influences the breasts of his cabinet. If, then, Canada is not for war, if England is not for war, if the United States are not for war, whence is the war to come? I should like to ask — I wish the noble lord, the member for Stamford, had been a little more frank — whence comes that anxiety which to some extent prevails? It may even be assumed that the government is not free from it, though it has shown it in the ridiculous form of proposing a vote of fifty thousand pounds. It is said that the newspapers have got into a sort of panic. Well, they can do that every night between twelve and six, when they write these articles; they can be very courageous or very panic-stricken. It is said that "the City," — we know what "the City" means, the right honorable gentleman alluded to it to-night; they are persons who deal in shares, though that does not describe the whole of them, — it is said that what they call the "money interests" are alarmed. Well, I never knew the City to be right. Men who are deep in great monetary transactions, and steeped to the lips sometimes in perilous speculations, they are not able to take a broad, dispassionate view of questions of this nature; and as to the newspapers, I agree with my honorable friend, the Member for Bradford, who, referring to one of them in particular, said the course it took indicated its wishes to cover its own confusion. Surely, after four years of uninterrupted publication of lies with regard to America, it has done much to destroy its influence in foreign questions forever. I must now mention a much higher authority, the authority of the Peers. I don't know why we should be so much restricted here with regard to the House of Lords. I think this House must have observed that the other house is not always so squeamish in what they say about us. It appeared to me that in this debate the right honorable gentleman [Mr. Disraeli] felt it necessary to get up and endeavor to excuse his chief.

Now, if I were to give advice to the honorable gentleman opposite, it would be this, — for while stating that during the last four years many noble lords in the other House have said foolish things, I think I should be uncandid if I did not say that you also have said foolish things, — learn from the example set you by the right honorable gentleman. He, with a thoughtfulness and statesmanship which you do not all acknowledge, did not say a word from that bench likely to create difficulty with the United States. I think his chief and his followers might learn something

from his example. Not long ago, I think, a panic was raised by what was said in another place about France; and now an attempt is made there to create a panic on this question. In the reform club there is fixed to the wall a paper giving a telegraphic account of what is done in this House every night, and also of what is done in the other House; and I find that the only words required to describe what is done in the other House are the words, "Lords adjourned." The noble lord at the head of the government is responsible for that. He has brought this House to very nearly the same condition; because we do very little, and they absolutely nothing. All of us, no doubt, in our young days were taught a verse intended to inculcate virtue and industry, a couplet of which runs thus:—

> "For Satan still some mischief finds
> For idle hands to do."

I don't believe that many here are afflicted with any disease arising from a course of continued idleness; but I should like to ask the House, in a more serious mood, what is the reason that any man in this country has now any more anxiety with regard to the preservation of peace with the United States than he had five years ago? Is there not a consciousness in your heart of hearts that you have not behaved generously towards your neighbor? Do we not feel in some way or other a reproving of conscience? And in ourselves are we not sensible of this, that conscience tends to make us cowards at this particular juncture? Well, I shall not revive past transactions with anger, but with a feeling of sorrow, for I maintain, and I think history will bear out what I say, that there is no generous and high-minded Englishman who can look back on the transactions of the last four years without a feeling of sorrow at the course that we have pursued in some particulars; and as I am anxious to speak with the view to a better state of feeling both in this country and the United States, I shall take the liberty, if the House will allow me, for a few minutes, to refer to two or three of those transactions, regarding which, though not in the main greatly wrong, in some circumstances we were so unfortunate as to create the irritation that at this moment we wish did not exist. The honorable Member for Horsham referred to the course taken by the government with regard to acknowledging the belligerent rights of the South. Now, I have never been one to condemn

the government for acknowledging the South as belligerents then, except on this ground. I think it might be logically contended that it might possibly become necessary to take that step, but I think the time and the manner of the act were most unfortunate, and could not but have produced very evil effects. Why, going back four years ago, we recollect what occurred when the news arrived here of the first shot fired at Fort Sumter. I think that was about the fourth of April, and immediately after it was announced that a new minister was coming from the United States to this country. Mr. Dallas had represented that, as he did not represent the new government, nor the new President, he would rather not undertake anything of importance. It was announced that his successor had left New York on a certain day; and we know that when we have the date of a departure from New York for this country we can calculate the time of arrival here to within twelve hours. Mr. Adams arrived in London on the thirteenth of May, and when he opened his newspaper the next morning he found it contained the proclamation of neutrality and the acknowledgment of the belligerent rights of the South. In my opinion the proper course would have been to have waited until Mr. Adams arrived, and to have discussed the matter with him in a friendly manner, when an explanation might have been given of the grounds upon which the English government felt themselves bound to issue it. But everything was done in an unfriendly manner, and the effect was to afford great comfort at Richmond, and generally to grieve those people of America who were most anxious for the continuance of the friendly and amicable relations between that country and England. To illustrate the point, allow me to suppose that a great revolt having taken place in Ireland, that we within a fortnight after the outbreak sent over a new minister to the United States, and that on the morning of his arrival he found that government had, without consulting him, taken such a hasty step as to acknowledge the belligerent rights of the Irish. I ask whether, under such circumstances, a feeling of irritation would not have been expressed by every man in Great Britain? I will not argue this question further, as to do so would be simply to depreciate the intellect of the honorable gentlemen listening to me. But seven or eight months after that event another transaction, of a very different and of a very unfortunate nature, took place, namely, that which arose out of

the seizure of the two Southern envoys on board an English ship called the Trent.

I recollect at that time making a speech at Rochdale entirely in favor of the United States government and people, but I did not then, nor do I now, attempt to defend the seizure of those persons. I said that, although precedents for such an action might possibly be found to have occurred in what I may call the evil days of our history, they were totally opposed to the maxims of the United States government, and that it was most undoubtedly a bad act. I do not complain of the demand that the men should be given up. I only complain of the manner in which the demand was made and the menaces by which it was accompanied. I think it was absurd and wrong, and was not statesmanlike, when there was not the least foundation for supposing the United States government was aware of the act, or had in the slightest degree sanctioned it, immediately to get ships ready, and to make other offensive preparations, and to allow the Press, who is always ready to inflame the passions of the people to frenzy, to prepare their minds for war. That was not the whole of the transaction, however, for the United States, before they heard a word from this country on the subject, sent a dispatch to Mr. Adams, which was shown to our government, stating that the act had not been done by their orders,—that it was a pure accident, and that they should regard the matter with the most friendly disposition towards this country. How came it that this dispatch was never published for the information of the people of this country? How came it that the flame of war was fanned by the newspapers supposed to be devoted to the government, and that one of them, said to be peculiarly devoted to the prime minister, had the audacity—I know not whence it obtained its instructions—flatly and emphatically to deny that such a dispatch had ever been received? How is it possible to maintain amicable relations with any great country, or even with any small one, unless government will manage these transactions in what I may call a more courteous and a more honorable manner? I received a letter from a most eminent gentleman resident in the United States, dated only two days before the Southern envoys were given up, in which he stated that the real difficulty encountered by the President in the matter was that the menaces of the English government had made it almost impossible for him to concede the point, and he asked whether the

English government was intending to seek a cause of quarrel or not. I am sure that the noble lord at the head of the government would himself feel more disposed to yield, and would find it more easy to grant a demand of the kind if made in a courteous and friendly manner than if accompanied by manners such as this government had offered to that of the United States. The House will observe that I am not condemning the government of this country on the main point, but that I am complaining merely because they did not do what they had to do in that manner which was most likely to remove difficulties and to preserve a friendly feeling between the two nations. The last point to which I shall direct your attention is with respect to the ships which have been sent out to prey upon the commerce of the United States, and in doing so I shall confine myself to the Alabama. This vessel was built in this country, all her munitions of war were obtained from this country, and almost every man on board was a subject of the Queen. She sailed from one of our chief ports, and she was built by a firm in which a Member of this House was, and I presume is still, interested. I don't complain now, neither did I two years ago, when the matter was brought before the House by the honorable Member for Bradford, that the Member for Birkenhead struck up a friendship with Captain Semmes, who, perhaps, in the words applied to another person under somewhat similar circumstances, "was the mildest mannered man that ever scuttled ship." I don't complain, and I have never done so, that the Member for Birkenhead looks admiringly upon what has been called the greatest example that man has ever seen of the greatest crime that man has ever committed. And I should not complain even had he entered into that gigantic traffic in flesh and blood which no subject of this realm can enter into without being deemed a felon in the eyes of our law and punished as such; but what I do complain of is that a magistrate of a county, a deputy-lieutenant, whatever that may be, and a representative of the constituency of the country, having sat in this ancient and honorable assembly, did, as I believe he did with regard to this ship, break the laws of this country, drive us into an infraction of international law, and treat with undeserved disrespect the proclamation of neutrality of the Queen. But I have another cause of complaint, though not against the honorable gentleman this time, for he having, on a previous occasion, declared that he

would rather be the builder of a dozen Alabamas than do something which nobody else had done, his language was received with repeated cheers from the other side of the House.

I think that that was a very unfortunate circumstance, and I beg to tell honorable gentlemen that at the end of last session, when there was a great debate on the Denmark question, there were many men on this side of the House who had no objection whatever to see the present government turned out of office,— for they had many grounds of complaint against them,— but they felt it impossible to take upon themselves the responsibility of bringing into office and power a party who could cheer such sentiments. But turning from the honorable Member for Birkenhead to the noble lord at the head of the Foreign Office, he, who in the case of the acknowledgment of belligerent rights had proceeded with such remarkable celerity, amply compensated for it by the slowness which he displayed in the case of the Alabama. And another curious thing, which even the noble lord's colleagues have never been able to explain, is that, although he sent after the Alabama to Cork to stop her, notwithstanding she had gone out of our jurisdiction, still she was permitted subsequently to go into a dozen or a score of ports belonging to this country in various parts of the world. Now, it seems to me that this is rather a special instance of that feebleness of purpose on the part of the noble lord which has done much to mar what would otherwise have been a great political career. Well, then, the honorable Member for Birkenhead, or his firm, or his family, or whoever it is that does these things, after having seen the peril into which the country was drifting on account of the Alabama, proceeded at once to build the two rams, and it was only at the very last moment, when we were on the eve of a war with the United States, that the government had the courage to seize these vessels. There are shipowners here, and I ask them what would be the feelings of the people of this country if they had suffered as the shipowners of America have suffered? As a rule, all their ships have been driven from the ocean. Mr. Lowe, an influential shipowner of New York, has had three very large ships destroyed by the Alabama. The George Griswold, a ship of two thousand tons, that came to this country with a heavy cargo of provisions of various kinds for the suffering people of Lancashire, that very ship was destroyed on her return passage, and the ship that destroyed her may have been, and I believe

was, built by these patriotic shipbuilders of Birkenhead. Well, sir, these are things to rankle in the breast of the country that is subjected to these losses and indignities. To-day you may see by the papers that one vessel has destroyed between twelve and thirteen ships, between the Cape of Good Hope and Australia. If I had, as some honorable Members have done, thought it necessary to bring American questions before this House three or four times during the session, I should have asked questions about these ships; but no! You who were in favor of the disruption of the States do not ask questions of this kind, but refer to other points that may embarrass the government or make their difficulties greater with the United States. But the members of the government itself have not been very wise, and I shall not be thought unnecessarily critical if I say that governments generally are not very wise. Two years ago, in that very debate, the noble lord at the head of the government and the Attorney-General addressed the House. I besought the noble lord — and I do not ask favors from him very often — only to speak for five minutes words of generosity and sympathy for the government and people of the United States. He did not do it, and perhaps it was foolish to expect it. The Attorney-General made a most able speech, but it was the only time I ever listened to him with pain, for I thought his speech full of bad morals and bad law; and I am quite certain that he gave an account of the facts which was not so ingenuous or fair as the House had a right to expect at his hands. Next session the noble lord and the Attorney-General turned right round and had a different story to tell, and as the aspect of things changed on the other side they gradually returned to good sense and fairness. They were not the only members of the government who have spoken on this subject. The noble lord the Secretary of State for Foreign Affairs and the Chancellor of the Exchequer have also made speeches. Every one will feel that I would not willingly say a word against either of them, because I do not know among the official statesmen of this country two men for whom I feel greater sympathy or more respect, but I have to complain of them that they should both go to Newcastle, a town in which I feel great interest, and there give forth their words of offense and unwisdom. The noble lord, we all know very well, can say very good and very smart things, but I regret to say that what he said was not true, and I, for one, have not much respect for things that

are smart but not true. The Chancellor of the Exchequer appeared from the papers to have spoken in a tone of exultation and to have made a speech which I undertake to say he wishes he had never made. But the House must bear in mind that these gentlemen are set on a hill. They are not obscure men, making speeches in a public house or in some mechanics' institute, but they are men whose voices are heard wherever the English language is known; and, knowing what effect their eloquence produced in Lancashire,—how they affected prices, and the profits and losses of every one, and changed the course of business,—I can form an idea of the irritation that these speeches caused in the United States. Then, I must refer to the unwise abuse of the learned gentleman, the Member for Sheffield, and, I may add to that, the unsleeping ill-will of the noble lord the Member for Stamford. I am not sure that either of them is converted, for I thought I heard something from the honorable and learned Member that shows he retains his sentiments. [Mr. Roebuck—"Exactly."]

I hope that these things are regretted and repented, and that any one who is thus ungenerous to the United States and the people of that country will never fall into trouble of any kind. But if you do, you will find your countrymen are more generous to you than you have been to the people of the United States. And now as to the Press. I think it unnecessary to say much about that, because now every night these unfortunate writers are endeavoring to back out of everything they have been saying. I only hope that their power for evil in future will be greatly lessened by the stupendous exhibition of ignorance and folly that they have made to the world. Having made this statement, I must expect that if the noble lord the Member for Stamford could get up again he would say, if all this be true, and if these speeches created all this irritation in the United States, is there not reason to fear that this irritation will provoke a desire for vengeance, and that the chances of war will be increased by it? I say that war from such a course is to the last degree improbable. There has been another side to this expression of opinion. All England is not included in the rather general condemnation I have thought it my duty to express. What have the millions been saying and doing?—those whom you have been so very much afraid of, especially the noble lord the Member for Stamford, who objects to the transfer of power into

their hands. I beg leave to tell the House that, taking the counties of Lancaster and York, your two greatest counties, there are millions of men there who, by their industry, not only have created but sustain the fabric of our national power, who have had no kind of sympathy with the men whom I am condemning. They are more generous and wise. They have shown that magnanimity and love of freedom are not extinct among us. I speak of the county from which I come,—a county of many sorrows, that have hung like a dark cloud over almost every home during the last three years. In the country all attempts of the agents of the Confederacy, by money, by printing, by platform speaking, and by agitation, have utterly failed to elicit any expression of sympathy with the American insurrection; and if the bond of union and friendship between England and the United States remain unbroken, we have not to thank the wealthy and the cultivated, but the laborious millions, whom statesmen and historians too frequently make little account of. They know something of the United States that the honorable gentlemen opposite and some on this side of the House do not know—that every man of them would be welcome on the American continent if they chose to go there, that every right and privilege which the greatest and highest in that country enjoy would be theirs, and that every man would have given to him by the United States a free gift of one hundred and sixty acres of the most fertile land in the world. Honorable gentlemen may laugh, but that is a good deal to a man who has no land, and I can assure them that this Homestead Act has a great effect on the population of the north of England. I can tell them, too, that the laboring population of these counties, the artisans and the mechanics, will give you no encouragement to any policy that is intended to estrange the people of the United States from the people of the United Kingdom. But, sir, we have other securities for peace not less than these, and I find them in the character of the government and people of the American Union. Now, I think the right honorable gentleman, the Member for Bucks, referred to what might reasonably be supposed to happen in case the rebellion was suppressed. He did not think when a nation was exhausted that it would rush rashly into a new struggle. The loss of life has been great, the loss of treasure enormous. Happily for them, it was not to keep a Bourbon on the throne of France, or to keep the Turks in Europe. It was for an object which every

man can comprehend who examines it by the light of his own intelligence and his own conscience; and if men have given their lives and possessions for the attainment of the great end of maintaining the integrity and unity of a great country, the history of the future must be written in a different spirit from the history of the past, if she expresses any condemnation of that temper. But Mr. Lincoln is President of the United States,— President now for the second term; he was elected exclusively at first by what was termed the Republican party, and he has been elected now by what may be called the great Union party of the nation. But Mr. Lincoln's party has always been for peace. That party in the North has never carried on any war of aggression, and has never desired one. Now, speaking only of the North,— of the free States,— let the House remember that landed property, and, indeed, property of all kinds, is more universally diffused there than in any other nation, and that instruction and school education are also more widely diffused. Well, I say they have never hitherto carried on a war for aggression or for vengeance, and I believe they will not begin one now. Canada is, indeed, a tempting bait. The noble lord agrees in that — it is a very tempting bait, not for purposes of annexation, but of humiliating this country. I agree with honorable gentlemen who have said that it would be discreditable to England in the light of her past history that she should leave any portion of her empire undefended which she could defend. But still it is admitted,— and I think the speech of the right honorable gentleman, the Member for Calne, produced a great effect upon those who heard it,— that once at war with the United States for any cause, Canada cannot be defended by any power on land or at sea which this country could raise or spare for that purpose.

I am very sorry, not that we cannot defend Canada, understand, but that any portion of the dominions of the British crown is in such circumstances that it might tempt an evil-disposed people to attack it with a view to humiliate us, because I believe that transactions which humiliate a government and a nation are not only discreditable, but do great national harm. Is there a war party, then, in America? I believe there is, and it is the same party which was a war party eighty years ago. It is the party represented by a number of gentlemen who sit on that bench, and by some who sit here. They, sir, in the United

States who are hostile to this country are those who were recently the malcontent subjects of the right honorable gentleman, the Member for Tamworth. They are those and such as those to whom the noble lord at the head of the government offers consolation, only in such a shape as this, when he tells them that the rights of the tenant are the wrongs of the landlord. Sir, that is the only war party in the United States, and it was a war party in the days of Lord North. But the real power of the United States does not reside in that class. You talk of American mobs. Excepting some portion of the population of New York,—and I would not apply the word even to them,—such things as mobs in the United States for the sake of forcing either Congress or the Executive to a particular course of action are altogether unknown. The real mob in your sense is that party of chivalrous gentlemen in the South who have received, I am sorry to say, so much sympathy from some persons in this country and in this House. But the real power is in the hands of another class,—the landowners throughout the country,—and there are millions of them. Why, in this last election for the presidency of the United States I was told by a citizen of New York, who took a most active part in the election, that in that State alone 100,000 Irish votes were given "solidly," as it is called, for General McClellan, and that not more than 2,000 were given for President Lincoln. You see the preponderance of that party in the city of New York, and its vast influence in the State of New York; but throughout the whole of the United States they form but a very small percentage, which has no sensible effect upon the legislation of Congress or the Constitution of the government. My honorable friend, the Member for Bradford, referred to a point which, I suppose, has really been the cause of this debate, and that was the temper of the United States in making some demands upon our government. Well, I asked a question the other evening, after one that had been put by the noble lord [Lord R. Cecil], whether we had not claims upon them. I understand the claims made by the United States may amount to £300,000 or £400,000, and probably the sum of our claims may amount to as much as that. But if any man has a right to go to law with another, he is obliged to go into court and the case must be heard before the proper tribunal. And why should it not be so between two great nations and two free governments? If one has claims against the other, the other has claims

against it, and nothing can be more fair than that those claims should be courteously and honestly considered. It is quite absurd to suppose that the English government and the government at Washington could have a question about half a million of money which they could not settle. I think the noble lord considers it a question of honor. But all questions of property are questions of law, and you go to a lawyer to settle them. Assuredly, this would be a fit case for the Senate of Hamburg, just as much as the case between this country and Brazil. Well, then, I rest in the most perfect security that as the war in America draws to a close, if happily we shall become more generous to them, they will become less irritated against us; and when passions have cooled down, I don't see why Lord Russell and Mr. Seward, Mr. Adams and, I hope, Sir F. Bruce, should not be able to settle these matters between the two nations. I have only one more observation to make. I apprehend that the root of all the unfortunate circumstances that have arisen is a feeling of jealousy which we have cherished with regard to the American Union. It was very much shown at the beginning of this war when an honorable Member whom I will not name, for he would not like it now, spoke of "the bursting of the bubble republic." Well, I recollect that Lord John Russell, as he then was, turned round and rebuked him in language worthy of his name, character, and position. I beg to tell that gentleman and any one else who talks about bubble republics that I have a great suspicion that a great many bubbles will burst before that bubble bursts. Why should we fear a great nation on the American continent? Some fear that a great nation would be arrogant and aggressive. But that does not at all follow. It does not depend altogether upon the size of a nation, but upon its qualities, and upon the intelligence, instruction, and morals of its people. You fancy that the supremacy of the sea will pass away from you; and the noble lord, though wiser than many others, will lament that 'Rule Britannia,' that noble old song, should become antiquated at last. Well, but if the supremacy of the sea excites the arrogance of this country, the sooner it becomes obsolete the better. I don't believe it to be for the advantage of this country or of any other that any one nation should pride itself upon what it terms the supremacy of the sea, and I hope the time is come — and I believe it is — when we shall find that law and justice shall guide the councils and direct the policy of the Christian nations of the world.

Now, nature will not be baffled because we are jealous of the United States. The laws of nature will not be overthrown. At this moment the population of the United States is not less than 35,000,000 souls. If the next Parliament live to the age of the present, the population of the United States will be 40,000,000, and you may calculate that the rate of increase will be at rather more than a million per year. Who is to gainsay this; who is to contradict it? Will constant snarling at a great republic alter the state of things, or swell us islanders to 40,000,000 or 50,000,000, and bring them down to 20,000,000 or 30,000,000? Honorable Members should consider these facts and should learn from them that it is the interest of this nation to be one in perfect courtesy and perfect amity with the English nation on the other side of the Atlantic. I am certain that the longer the nation exists, the less will our people be disposed to sustain you in any needless hostility against them, or in any jealousy of them; and I am the more convinced of this from what I have seen of their conduct in the north of England during the last four years. I believe, on the other hand, that the American people, when this excitement is over, will be willing, so far as regards any aggressive acts against us, to bury in oblivion transactions which have given them much pain, and they will probably make an allowance which they may fairly make,—that the people of this country, even those high in rank and distinguished in culture, have had a very inadequate knowledge of the transactions which have really taken place in that country since the beginning of the war. Now, it is on record that when the author of 'The Decline and Fall of the Roman Empire' was about beginning his great work, David Hume wrote a letter to him, urging him not to employ the French, but the English tongue, because, he said, "our establishments in America promise a superior stability and duration to the English language." How far the promise has been in part fulfilled, we who are living now can tell. But how far it will be more largely and more completely fulfilled in after times, we must leave for after times to tell. I believe, however, that in the centuries which are to come it will be the greatest pride and the highest renown of England that from her loins have sprung a hundred—it may be two hundred—millions of men to dwell and to prosper on the continent which the old Genoese gave to Europe. Now, sir, if the sentiment which I have heard to-night shall become the sentiment of the Parliament and people of the

United Kingdom, and if the moderation which I have described shall mark the course of the government and people of the United States, then, notwithstanding some present irritation and some fresh distrust,—and I have faith, mind, both in us and in them,—I believe that these two great commonwealths may march on abreast, parents and guardians of freedom and justice, wheresoever their language shall be spoken and their power shall extend.

MORALITY AND MILITARY GREATNESS

(Delivered at Birmingham, October 29th, 1858)

WE ALL know and deplore that at the present moment a larger number of the grown men of Europe are employed, and a larger portion of the industry of Europe is absorbed, to provide for and maintain the enormous armaments which are now on foot in every considerable continental State. Assuming, then, that Europe is not much better in consequence of the sacrifices we have made, let us inquire what has been the result in England, because, after all, that is the question which it becomes us most to consider. I believe that I understate the sum when I say that, in pursuit of this will-o'-the-wisp (the liberties of Europe and the balance of power), there has been extracted from the industry of the people of this small island no less an amount than £2,000,000,000. I cannot imagine how much £2,000,000,000 is, and therefore I shall not attempt to make you comprehend it.

I presume it is something like those vast and incomprehensible astronomical distances with which we have been lately made familiar; but, however familiar, we feel that we do not know one bit more about them than we did before. When I try to think of that sum of £2,000,000,000 there is a sort of vision passes before my mind's eye. I see your peasant laborer delve and plough, sow and reap, sweat beneath the summer's sun, or grow prematurely old before the winter's blast. I see your noble mechanic with his manly countenance and his matchless skill, toiling at his bench or his forge. I see one of the workers in our factories in the North, a woman,—a girl it may be, gentle and good, as many of them are, as your sisters and daughters are,—I see her intent upon the spindle, whose

revolutions are so rapid that the eye fails altogether to detect them, or to watch the alternating flight of the unresting shuttle. I turn again to another portion of your population, which, "plunged in mines, forgets a sun was made," and I see the man who brings up from the secret chambers of the earth the elements of the riches and greatness of his country. When I see all this I have before me a mass of produce and of wealth which I am no more able to comprehend than I am that £2,000,000,000 of which I have spoken, but I behold in its full proportions the hideous error of your governments, whose fatal policy consumes in some cases a half, never less than a third, of all the results of that industry which God intended should fertilize and bless every home in England, but the fruits of which are squandered in every part of the surface of the globe, without producing the smallest good to the people of England.

We have, it is true, some visible results that are of a more positive character. We have that which some people call a great advantage,—the national debt,—a debt which is now so large that the most prudent, the most economical, and the most honest have given up all hope, not of its being paid off, but of its being diminished in amount.

We have, too, taxes which have been during many years so onerous that there have been times when the patient beasts of burden threatened to revolt,—so onerous that it has been utterly impossible to levy them with any kind of honest equality, according to the means of the people to pay them. We have that, moreover, which is a standing wonder to all foreigners who consider our condition,—an amount of apparently immovable pauperism which to strangers is wholly irreconcilable with the fact that we, as a nation, produce more of what should make us all comfortable than is produced by any other nation of similar numbers on the face of the globe. Let us likewise remember that during the period of those great and so-called glorious contests on the continent of Europe, every description of home reform was not only delayed, but actually crushed out of the minds of the great bulk of the people. There can be no doubt whatever that in 1793 England was about to realize political changes and reforms, such as did not appear again until 1830, and during the period of that war, which now almost all men agree to have been wholly unnecessary, we were passing through a period which may be described as the dark age of English politics; when there was no

more freedom to write or speak, or politically to act, than there is now in the most despotic country of Europe.

But, it may be asked, did nobody gain? If Europe is no better, and the people of England have been so much worse, who has benefited by the new system of foreign policy? What has been the fate of those who were enthroned at the Revolution, and whose supremacy has been for so long a period undisputed among us? Mr. Kinglake, the author of an interesting book on Eastern travel, describing the habits of some acquaintances that he made in the Syrian deserts, says that the jackals of the desert follow their prey in families, like the place-hunters of Europe. I will reverse, if you like, the comparison, and say that the great territorial families of England, which were enthroned at the Revolution, have followed their prey like the jackals of the desert. Do you not observe at a glance that, from the time of William III., by reason of the foreign policy which I denounce, wars have been multiplied, taxes increased, loans made, and the sums of money which every year the government has to expend augmented, and that so the patronage at the disposal of ministers must have increased also, and the families who were enthroned and made powerful in the legislation and administration of the country must have had the first pull at, and the largest profit out of, that patronage? There is no actuary in existence who can calculate how much of the wealth, of the strength, of the supremacy of the territorial families of England has been derived from an unholy participation in the fruits of the industry of the people, which have been wrested from them by every device of taxation, and squandered in every conceivable crime of which a government could possibly be guilty.

The more you examine this matter, the more you will come to the conclusion which I have arrived at, that this foreign policy, this regard for the "liberties of Europe," this care at one time for "the Protestant interests," this excessive love for "the balance of power," is neither more nor less than a gigantic system of out-door relief for the aristocracy of Great Britain. [Great laughter.] I observe that you receive that declaration as if it were some new and important discovery. In 1815, when the great war with France was ended, every Liberal in England whose politics, whose hopes, and whose faith had not been crushed out of him by the tyranny of the time of that war, was fully aware of this, and openly admitted it; and up to 1832, and for

some years afterward, it was the fixed and undoubted creed of the great Liberal party. But somehow all is changed. We who stand upon the old landmarks, who walk in the old paths, who would conserve what is wise and prudent, are hustled and shoved about as if we were come to turn the world upside down. The change which has taken place seems to confirm the opinion of a lamented friend of mine, who, not having succeeded in all his hopes, thought that men made no progress whatever, but went round and round like a squirrel in a cage. The idea is now so general that it is our duty to meddle everywhere, that it really seems as if we had pushed the Tories from the field, expelling them by our competition. . . .

It is for you to decide whether our greatness shall be only temporary, or whether it shall be enduring. When I am told that the greatness of our country is shown by the £100,000,000 of revenue produced, may I not also ask how it is that we have 1,100,000 paupers in this kingdom, and why it is that £7,000,000 should be taken from the industry chiefly of the laboring classes to support a small nation, as it were, of paupers? Since your legislation upon the corn laws, you have not only had nearly £20,000,000 of food brought into the country annually, but such an extraordinary increase of trade that your exports are about doubled, and yet I understand that in the year 1856, for I have no later return, there were no less than 1,100,000 paupers in the United Kingdom, and the sum raised in poor-rates was not less than £7,200,000. And that cost of pauperism is not the full amount, for there is a vast amount of temporary, casual, and vagrant pauperism that does not come in to swell that sum.

Then do not you well know — I know it, because I live among the population of Lancashire, and I doubt not the same may be said of the population of this city and county — that just above the level of the 1,100,000 there is at least an equal number who are ever oscillating between independence and pauperism, who, with a heroism which is not the less heroic because it is secret and unrecorded, are doing their very utmost to maintain an honorable and independent position before their fellow-men?

While Irish labor, notwithstanding the improvement which has taken place in Ireland, is only paid at the rate of about one shilling a day; while in the straths and glens of Scotland there are hundreds of shepherd families whose whole food almost consists of oatmeal porridge from day to day, and from week to

week; while these things continue, I say that we have no reason to be self-satisfied and contented with our position, but that we who are in Parliament and are more directly responsible for affairs, and you who are also responsible though in a lesser degree, are bound by the sacred duty which we owe our country to examine why it is that with all this trade, all this industry, and all this personal freedom, there is still so much that is unsound at the base of our social fabric? . . .

I have been already told by a very eminent newspaper publisher in Calcutta, who, commenting on a speech I made at the close of the session with regard to the condition of India and our future policy in that country, said that the policy I recommended was intended to strike at the root of the advancement of the British empire, and that its advancement did not necessarily involve the calamities which I pointed out as likely to occur.

My Calcutta critic assured me that Rome pursued a similar policy for a period of eight centuries, and that for those eight centuries she remained great. Now, I do not think that examples taken from pagan, sanguinary Rome are proper models for the imitation of a Christian country, nor would I limit my hopes of the greatness of England even to the long duration of eight hundred years.

But what is Rome now? The great city is dead. A poet has described her as "the lone mother of dead empires." Her language even is dead. Her very tombs are empty; the ashes of her most illustrious citizens are dispersed.

"The Scipios' tomb contains no ashes now." Yet I am asked, I, who am one of the legislators of a Christian country, to measure my policy by the policy of ancient and pagan Rome!

I believe there is no permanent greatness to a nation except it be based upon morality. I do not care for military greatness or military renown. I care for the condition of the people among whom I live. There is no man in England who is less likely to speak irreverently of the crown and monarchy of England than I am; but crowns, coronets, mitres, military display, the pomp of war, wide colonies, and a huge empire are, in my view, all trifles, light as air, and not worth considering, unless with them you can have a fair share of comfort, contentment, and happiness among the great body of the people. Palaces, baronial castles, great halls, stately mansions, do not make a

nation. The nation in every country dwells in the cottage; and unless the light of your constitution can shine there, unless the beauty of your legislation and the excellence of your statesmanship are impressed there on the feelings and condition of the people, rely upon it you have yet to learn the duties of government.

I have not, as you have observed, pleaded that this country should remain without adequate and scientific means of defense. I acknowledge it to be the duty of your statesmen, acting upon the known opinions and principles of ninety-nine out of every hundred persons in the country, at all times, with all possible moderation, but with all possible efficiency, to take steps which shall preserve order within and on the confines of your kingdom. But I shall repudiate and denounce the expenditure of every shilling, the engagement of every man, the employment of every ship, which has no object but intermeddling in the affairs of other countries, and endeavoring to extend the boundaries of an empire which is already large enough to satisfy the greatest ambition, and I fear is much too large for the highest statesmanship to which any man has yet attained.

The most ancient of profane historians has told us that the Scythians of his time were a very warlike people, and that they elevated an old cimeter upon a platform as a symbol of Mars,— for to Mars alone, I believe, they built altars and offered sacrifices. To this cimeter they offered sacrifices of horses and cattle, the main wealth of the country, and more costly sacrifices than to all the rest of their gods. I often ask myself whether we are at all advanced in one respect beyond those Scythians. What are our contributions to charity, to education, to morality, to religion, to justice, and to civil government, when compared with the wealth we expend in sacrifices to the old cimeter? Two nights ago I addressed in this hall a vast assembly composed to a great extent of your countrymen who have no political power, who are at work from the dawn of the day to the evening, and who have therefore limited means of informing themselves on these great subjects. Now I am privileged to speak to a somewhat different audience. You represent those of your great community who have a more complete education, who have on some points greater intelligence, and in whose hands reside the power and influence of the district. I am speaking, too, within the hearing of those whose gentle nature, whose finer instincts, whose purer

minds, have not suffered as some of us have suffered in the turmoil and strife of life. You can mold opinion, you can create political power; — you cannot think a good thought on this subject and communicate it to your neighbors, you cannot make these points topics of discussion in your social circles and more general meetings, without affecting sensibly and speedily the course which the government of your country will pursue.

May I ask you, then, to believe, as I do most devoutly believe, that the moral law was not written for men alone in their individual character, but that it was written as well for nations, and for nations great as this of which we are citizens. If nations reject and deride that moral law, there is a penalty which will inevitably follow. It may not come at once, it may not come in our lifetime; but rely upon it, the great Italian is not a poet only, but a prophet, when he says: —

> "The sword of heaven is not in haste to smite,
> Nor yet doth linger."

We have experience, we have beacons, we have landmarks enough. We know what the past has cost us, we know how much and how far we have wandered, but we are not left without a guide. It is true we have not, as an ancient people, had Urim and Thummim, — those oraculous gems on Aaron's breast, — from which to take counsel, but we have the unchangeable and eternal principles of the moral law to guide us, and only so far as we walk by that guidance can we be permanently a great nation, or our people a happy people.

PHILLIPS BROOKS

(1835–1893)

PHILLIPS BROOKS ranks with Henry Ward Beecher as one of the most admired pulpit orators of the latter half of the nineteenth century. He was less popular than Beecher because he was less emotional and more polished. His style approximates the simplicity of conversation even when it is most artistic. It has an Attic severity, which, while it ennobles the successful expression of a great thought, requires great thoughts to make it tolerable. And the underlying thoughts which shaped the life of Brooks and made him an orator were great. He sympathized at once with what is weakest and what is strongest in human nature. He is remarkable for restrained force, which, in spite of restraint and the better because of it, moves irresistibly forward, drawing the mind of the hearer with it.

He was born December 13th, 1835. His father, a Boston merchant, educated him at Harvard. After studying theology for four years in an Episcopal seminary, he entered the ministry of that church. After ten years in Philadelphia, he became rector of Trinity Church, Boston, assuming thus the cure of the souls of the «largest and wealthiest Episcopal congregation in Massachusetts.» He was elected bishop of Massachusetts in 1891 and died January 23d, 1893.

LINCOLN AS A TYPICAL AMERICAN

(Delivered in Philadelphia as a Funeral Oration)

WHILE I speak to you to-day, the body of the President who ruled this people, is lying, honored and loved, in our city. It is impossible with that sacred presence in our midst for me to stand and speak of ordinary topics which occupy the pulpit. I must speak of him to-day; and I therefore undertake to do what I had intended to do at some future time, to invite you to study with me the character of Abraham Lincoln, the impulses of his life and the causes of his death. I know how hard it is to do it rightly, how impossible it is to do it worthily.

But I shall speak with confidence, because I speak to those who love him, and whose ready love will fill out the deficiencies in a picture which my words will weakly try to draw.

We take it for granted, first of all, that there is an essential connection between Mr. Lincoln's character and his violent and bloody death. It is no accident, no arbitrary decree of Providence. He lived as he did, and he died as he did, because he was what he was. The more we see of events, the less we come to believe in any fate or destiny except the destiny of character. It will be our duty, then, to see what there was in the character of our great President that created the history of his life, and at last produced the catastrophe of his cruel death. After the first trembling horror, the first outburst of indignant sorrow, has grown calm, these are the questions which we are bound to ask and answer.

It is not necessary for me even to sketch the biography of Mr. Lincoln. He was born in Kentucky fifty-six years ago, when Kentucky was a pioneer State. He lived, as a boy and man, the hard and needy life of a backwoodsman, a farmer, a river boatman, and, finally, by his own efforts at self-education, of an active, respected, influential citizen, in the half-organized and manifold interests of a new and energetic community. From his boyhood up he lived in direct and vigorous contact with men and things, not as in older States and easier conditions with words and theories; and both his moral convictions and intellectual opinions gathered from that contact a supreme degree of that character by which men knew him, that character which is the most distinctive possession of the best American nature, that almost indescribable quality which we call, in general, clearness or truth, and which appears in the physical structure as health, in the moral constitution as honesty, in the mental structure as sagacity, and in the region of active life as practicalness. This one character, with many sides, all shaped by the same essential force and testifying to the same inner influences, was what was powerful in him and decreed for him the life he was to live and the death he was to die. We must take no smaller view than this of what he was. Even his physical conditions are not to be forgotten in making up his character. We make too little always of the physical; certainly we make too little of it here if we lose out of sight the strength and muscular activity, the power of doing and enduring, which the backwoods boy inherited from

generations of hard-living ancestors, and appropriated for his own by a long discipline of bodily toil. He brought to the solution of the question of labor in this country not merely a mind, but a body thoroughly in sympathy with labor, full of the culture of labor, bearing witness to the dignity and excellence of work in every muscle that work had toughened and every sense that work had made clear and true. He could not have brought the mind for his task so perfectly, unless he had first brought the body whose rugged and stubborn health was always contradicting to him the false theories of labor, and always asserting the true.

As to the moral and mental powers which distinguished him, all embraceable under this general description of clearness of truth, the most remarkable thing is the way in which they blend with one another, so that it is next to impossible to examine them in separation. A great many people have discussed very crudely whether Abraham Lincoln was an intellectual man or not; as if intellect were a thing always of the same sort, which you could precipitate from the other constituents of a man's nature and weigh by itself, and compare by pounds and ounces in this man with another. The fact is, that in all the simplest characters that line between the mental and moral natures is always vague and indistinct. They run together, and in their best combinations you are unable to discriminate, in the wisdom which is their result, how much is moral and how much is intellectual. You are unable to tell whether in the wise acts and words which issue from such a life there is more of the righteousness that comes of a clear conscience, or of the sagacity that comes of a clear brain. In more complex characters and under more complex conditions, the moral and the mental lives come to be less healthily combined. They co-operate, they help each other less. They come even to stand over against each other as antagonists; till we have that vague but most melancholy notion which pervades the life of all elaborate civilization, that goodness and greatness, as we call them, are not to be looked for together; till we expect to see and so do see a feeble and narrow conscientiousness on the one hand, and a bad, unprincipled intelligence on the other, dividing the suffrages of men.

It is the great boon of such characters as Mr. Lincoln's, that they reunite what God has joined together and man has put asunder. In him was vindicated the greatness of real goodness

and the goodness of real greatness. The twain were one flesh. Not one of all the multitudes who stood and looked up to him for direction with such a loving and implicit trust can tell you to-day whether the wise judgments that he gave came most from a strong head or a sound heart. If you ask them, they are puzzled. There are men as good as he, but they do bad things. There are men as intelligent as he, but they do foolish things. In him goodness and intelligence combined and made their best result of wisdom. For perfect truth consists not merely in the right constituents of character, but in their right and intimate conjunction. This union of the mental and moral into a life of admirable simplicity is what we most admire in children; but in them it is unsettled and unpractical. But when it is preserved into manhood, deepened into reliability and maturity, it is that glorified childlikeness, that high and reverend simplicity, which shames and baffles the most accomplished astuteness, and is chosen by God to fill his purposes when he needs a ruler for his people, of faithful and true heart, such as he had who was our President.

Another evident quality of such a character as this will be its freshness or newness, if we may so speak. Its freshness or readiness,—call it what you will,—its ability to take up new duties and do them in a new way, will result of necessity from its truth and clearness. The simple natures and forces will always be the most pliant ones. Water bends and shapes itself to any channel. Air folds and adapts itself to each new figure. They are the simplest and the most infinitely active things in nature. So this nature, in very virtue of its simplicity, must be also free, always fitting itself to each new need. It will always start from the most fundamental and eternal conditions, and work in the straightest even although they be the newest ways, to the present prescribed purpose. In one word, it must be broad and independent and radical. So that freedom and radicalness in the character of Abraham Lincoln were not separate qualities, but the necessary results of his simplicity and childlikeness and truth.

Here then we have some conception of the man. Out of this character came the life which we admire and the death which we lament to-day. He was called in that character to that life and death. It was just the nature, as you see, which a new nation such as ours ought to produce. All the conditions of his

birth, his youth, his manhood, which made him what he was, were not irregular and exceptional, but were the normal conditions of a new and simple country. His pioneer home in Indiana was a type of the pioneer land in which he lived. If ever there was a man who was a part of the time and country he lived in, this was he. The same simple respect for labor won in the school of work and incorporated into blood and muscle; the same unassuming loyalty to the simple virtues of temperance and industry and integrity; the same sagacious judgment which had learned to be quick-eyed and quick-brained in the constant presence of emergency; the same direct and clear thought about things, social, political, and religious, that was in him supremely, was in the people he was sent to rule. Surely, with such a type-man for ruler, there would seem to be but a smooth and even road over which he might lead the people whose character he represented into the new region of national happiness and comfort and usefulness, for which that character had been designed.

But then we come to the beginning of all trouble. Abraham Lincoln was the type-man of the country, but not of the whole country. This character which we have been trying to describe was the character of an American under the discipline of freedom. There was another American character which had been developed under the influence of slavery. There was no one American character embracing the land. There were two characters, with impulses of irrepressible and deadly conflict. This citizen whom we have been honoring and praising represented one. The whole great scheme with which he was ultimately brought in conflict, and which has finally killed him, represented the other. Beside this nature, true and fresh and new, there was another nature, false and effete and old. The one nature found itself in a new world, and set itself to discover the new ways for the new duties that were given it. The other nature, full of the false pride of blood, set itself to reproduce in a new world the institutions and the spirit of the old, to build anew the structure of the feudalism which had been corrupt in its own day, and which had been left far behind by the advancing conscience and needs of the progressing race. The one nature magnified labor, the other nature depreciated and despised it. The one honored the laborer, and the other scorned him. The one was simple and direct; the other complex, full of sophistries and self-excuses. The one was free to look all that claimed to

be truth in the face, and separate the error from the truth that might be in it; the other did not dare to investigate, because its own established prides and systems were dearer to it than the truth itself, and so even truth went about in it doing the work of error. The one was ready to state broad principles, of the brotherhood of man, the universal fatherhood and justice of God, however imperfectly it might realize them in practice; the other denied even the principles, and so dug deep and laid below its special sins the broad foundation of a consistent, acknowledged sinfulness. In a word, one nature was full of the influences of freedom, the other nature was full of the influences of slavery. . . .

The cause that Abraham Lincoln died for shall grow stronger by his death,—stronger and sterner. Stronger to set its pillars deep into the structure of our nation's life; sterner to execute the justice of the Lord upon his enemies. Stronger to spread its arms and grasp our whole land into freedom; sterner to sweep the last poor ghost of Slavery out of our haunted homes. But while we feel the folly of this act, let not its folly hide its wickedness. It was the wickedness of Slavery putting on a foolishness for which its wickedness and that alone is responsible, that robbed the nation of a President and the people of a father. And remember this, that the folly of the Slave power in striking the representative of Freedom, and thinking that thereby it killed Freedom itself, is only a folly that we shall echo if we dare to think that in punishing the representatives of Slavery who did this deed, we are putting Slavery to death. Dispersing armies and hanging traitors, imperatively as justice and necessity may demand them both, are not killing the spirit out of which they sprang. The traitor must die because he has committed treason. The murderer must die because he has committed murder. Slavery must die, because out of it, and it alone, came forth the treason of the traitor and the murder of the murderer. Do not say that it is dead. It is not, while its essential spirit lives. While one man counts another man his born inferior for the color of his skin, while both in North and South prejudices and practices, which the law cannot touch, but which God hates, keep alive in our people's hearts the spirit of the old iniquity, it is not dead. The new American nature must supplant the old. We must grow like our President, in his truth, his independence, his religion, and his wide humanity. Then the character by which he died shall be in us, and by it we shall live. Then

peace shall come that knows no war, and law that knows no treason; and full of his spirit a grateful land shall gather round his grave, and, in the daily psalm of prosperous and righteous living, thank God forever for his life and death.

So let him lie here in our midst to-day, and let our people go and bend with solemn thoughtfulness and look upon his face and read the lessons of his burial. As he paused here on his journey from the Western home and told us what by the help of God he meant to do, so let him pause upon his way back to his Western grave and tell us, with a silence more eloquent than words, how bravely, how truly, by the strength of God, he did it. God brought him up as he brought David up from the sheepfolds to feed Jacob, his people, and Israel, his inheritance. He came up in earnestness and faith, and he goes back in triumph. As he pauses here to-day, and from his cold lips bids us bear witness how he has met the duty that was laid on him, what can we say out of our full hearts but this—"He fed them with a faithful and true heart, and ruled them prudently with all his power."

The *Shepherd of the People!* that old name that the best rulers ever craved. What ruler ever won it like this dead President of ours? He fed us faithfully and truly. He fed us with counsel when we were in doubt, with inspiration when we sometimes faltered, with caution when we would be rash, with calm, clear, trustful cheerfulness through many an hour when our hearts were dark. He fed hungry souls all over the country with sympathy and consolation. He spread before the whole land feasts of great duty and devotion and patriotism, on which the land grew strong. He fed us with solemn, solid truths. He taught us the sacredness of government, the wickedness of treason. He made our souls glad and vigorous with the love of liberty that was in his. He showed us how to love truth and yet be charitable—how to hate wrong and all oppression, and yet not treasure one personal injury or insult. He fed *all* his people, from the highest to the lowest, from the most privileged down to the most enslaved. Best of all, he fed us with a reverent and genuine religion. He spread before us the love and fear of God just in that shape in which we need them most, and out of his faithful service of a higher Master who of us has not taken and eaten and grown strong? "He fed them with a faithful and true heart." Yes, till the last. For at the last, behold him

standing with hand reached out to feed the South with mercy, and the North with charity, and the whole land with peace, when the Lord who had sent him called him, and his work was done!

He stood once on the battlefield of our own State, and said of the brave men who had saved it words as noble as any countryman of ours ever spoke. Let us stand in the country he has saved, and which is to be his grave and monument, and say of Abraham Lincoln what he said of the soldiers who had died at Gettysburg. He stood there with their graves before him, and these are the words he said:—

"We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men who struggled here have consecrated it far beyond our power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us the living rather to be dedicated to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; and this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, and for the people, shall not perish from the earth."

May God make us worthy of the memory of Abraham Lincoln!

POWER OVER THE LIVES OF OTHERS

Tell me you have a sin that you mean to commit this evening that is going to make this night black. What can keep you from committing that sin? Suppose you look into its consequences. Suppose the wise man tells you what will be the physical consequences of that sin. You shudder and you shrink, and, perhaps, you are partially deterred. Suppose you see the glory that might come to you, physical, temporal, spiritual, if you do not commit that sin. The opposite of it shows itself to you—the blessing and the richness in your life. Again there comes a great power that shall control your lust and wickedness. Suppose there comes to you something even deeper than that, no consequence on consequence at all, but simply an abhorrence for

the thing, so that your whole nature shrinks from it as the nature of God shrinks from a sin that is polluting and filthy and corrupt and evil. They are all great powers. Let us thank God for them all. He knows that we are weak enough to need every power that can possibly be brought to bear upon our feeble lives; but if, along with all of them, there could come this other power, if along with them there could come the certainty that if you refrain from that sin to-night you make the sum of sin that is in the world, and so the sum of all temptation that is in the world, and so the sum of future evil that is to spring out of temptation in the world, less, shall there not be a nobler impulse rise up in your heart, and shall you not say: "I will not do it; I will be honest, I will be sober, I will be pure, at least, to-night"? I dare to think that there are men here to whom that appeal can come, men, who, perhaps, will be all dull and deaf if one speaks to them about their personal salvation; who, if one dares to picture to them, appealing to their better nature, trusting to their nobler soul, that there is in them the power to save other men from sin, and to help the work of God by the control of their own passions and the fulfillment of their own duty, will be stirred to the higher life. Men — very often we do not trust them enough — will answer to the higher appeal that seems to be beyond them when the poor, lower appeal that comes within the region of their selfishness is cast aside, and they will have nothing to do with it.

Oh, this marvelous, this awful power that we have over other people's lives! Oh, the power of the sin that you have done years and years ago! It is awful to think of it. I think there is hardly anything more terrible to the human thought than this — the picture of a man who, having sinned years and years ago in a way that involved other souls in his sin, and then, having repented of his sin and undertaken another life, knows certainly that the power, the consequence of that sin is going on outside of his reach, beyond even his ken and knowledge. He cannot touch it. You wronged a soul ten years ago. You taught a boy how to tell his first mercantile lie; you degraded the early standards of his youth. What has become of that boy to-day? You may have repented. He has passed out of your sight. He has gone years and years ago. Somewhere in this great, multitudinous mass of humanity he is sinning and sinning, and reduplicating and extending the sin that you did. You touched the

faith of some believing soul years ago with some miserable sneer of yours, with some cynical and skeptical disparagement of God and of the man who is the utterance of God upon the earth. You taught the soul that was enthusiastic to be full of skepticisms and doubts. You wronged a woman years ago, and her life has gone out from your life, you cannot begin to tell where. You have repented of your sin. You have bowed yourself, it may be, in dust and ashes. You have entered upon a new life. You are pure to-day. But where is the skeptical soul? Where is the ruined woman whom you sent forth into the world out of the shadow of your sin years ago? You cannot touch that life. You cannot reach it. You do not know where it is. No steps of yours, quickened with all your earnestness, can pursue it. No contrition of yours can draw back its consequences. Remorse cannot force the bullet back again into the gun from which it once has gone forth. It makes life awful to the man who has ever sinned, who has ever wronged and hurt another life because of this sin, because no sin ever was done that did not hurt another life. I know the mercy of our God, that while he has put us into each other's power to a fearful extent, he never will let any soul absolutely go to everlasting ruin for another's sin; and so I dare to see the love of God pursuing that lost soul where you cannot pursue it. But that does not for one moment lift the shadow from your heart, or cease to make you tremble when you think of how your sin has outgrown itself and is running far, far away where you can never follow it.

Thank God the other thing is true as well. Thank God that when a man does a bit of service, however little it may be, of that, too, he can never trace the consequences. Thank God that that which in some better moment, in some nobler inspiration, you did ten years ago to make your brother's faith a little more strong, to let your shop boy confirm and not doubt the confidence in man which he had brought into his business, to establish the purity of a soul instead of staining it and shaking it, thank God, in this quick, electric atmosphere in which we live, that, too, runs forth.

PRESTON S. BROOKS

(1819–1857)

THE address in which Preston S. Brooks, of South Carolina, explained his motives for the assault on Senator Sumner is a historical document rather than an oration, but its importance in its bearing on the history of the time is too great to allow its omission. It was delivered July 14th, 1856. Brooks, in the controversy of which this speech was a part, challenged Congressman Burlingame, of Massachusetts, who accepted and named for the duel a place near Niagara Falls. Brooks did not approve the location which he believed involved an unfair hazard for himself, and the duel never took place. According to biographers, who were his contemporaries, Burlingame's popularity was greatly increased by the affair.

THE ASSAULT ON SUMNER

(Delivered in the House of Representatives, July 14th, 1856)

Mr. Speaker:—

SOME time since a Senator from Massachusetts allowed himself, in an elaborately prepared speech, to offer a gross insult to my State, and to a venerable friend, who is my State representative, and who was absent at the time.

Not content with that, he published to the world, and circulated extensively, this uncalled-for libel on my State and my blood. Whatever insults my State insults me. Her history and character have commanded my pious veneration; and in her defense I hope I shall always be prepared, humbly and modestly, to perform the duty of a son. I should have forfeited my own self-respect and perhaps the good opinion of my countrymen, if I had failed to resent such an injury by calling the offender in question to a personal account. It was a personal affair, and in taking redress into my own hands I meant no disrespect to the Senate of the United States or to this House. Nor, sir, did I design insult or disrespect to the State of Massachusetts. I was aware of the personal responsibilities I incurred, and was willing

to meet them. I knew, too, that I was amenable to the laws of the country, which afford the same protection to all, whether they be members of Congress or private citizens. I did not, and do not now believe, that I could be properly punished, not only in a court of law, but here also, at the pleasure and discretion of the House. I did not then, and do not now, believe that the spirit of American freemen would tolerate slander in high places, and permit a Member of Congress to publish and circulate a libel on another, and then call upon either House to protect him against the personal responsibilities which he had thus incurred.

But if I had committed a breach of privilege, it was the privilege of the Senate, and not of this House, which was violated. I was answerable there, and not here. They had no right, as it seems to me, to prosecute me in these Halls, nor have you the right in law or under the Constitution, as I respectfully submit, to take jurisdiction over offenses committed against them. The Constitution does not justify them in making such a request, nor this House in granting it. If, unhappily, the day should ever come when sectional or party feeling should run so high as to control all other considerations of public duty or justice, how easy it will be to use such precedents for the excuse of arbitrary power, in either House, to expel Members of the minority who may have rendered themselves obnoxious to the prevailing spirit in the House to which they belong.

Matters may go smoothly enough when one House asks the other to punish a Member who is offensive to a majority of its own body; but how will it be when, upon a pretense of insulted dignity, demands are made of this House to expel a Member who happens to run counter to its party predilections, or other demands which it may not be so agreeable to grant? It could never have been designed by the Constitution of the United States to expose the two Houses to such temptations to collision, or to extend so far the discretionary power which was given to either House to punish its own Members for the violation of its rules and orders. Discretion has been said to be the law of the tyrant, and when exercised under the color of the law, and under the influence of party dictation, it may and will become a terrible and insufferable despotism.

This House, however, it would seem, from the unmistakable tendency of its proceedings, takes a different view from that which I deliberately entertain in common with many others.

So far as public interests or constitutional rights are involved, I have now exhausted my means of defense. I may, then, be allowed to take a more personal view of the question at issue. The further prosecution of this subject, in the shape it has now assumed, may not only involve my friends, but the House itself, in agitations which might be unhappy in their consequences to the country. If these consequences could be confined to myself individually, I think I am prepared and ready to meet them, here or elsewhere; and when I use this language I mean what I say. But others must not suffer for me. I have felt more on account of my two friends who have been implicated, than for myself, for they have proven that "there is a friend that sticketh closer than a brother." I will not constrain gentlemen to assume a responsibility on my account, which, possibly, they would not assume on their own.

Sir, I cannot, on my own account, assume the responsibility, in the face of the American people, of commencing a line of conduct which in my heart of hearts I believe would result in subverting the foundations of this government and in drenching this hall in blood. No act of mine, on my personal account, shall inaugurate revolution; but when you, Mr. Speaker, return to your own home and hear the people of the great North — and they are a great people — speak of me as a bad man, you will do me the justice to say that a blow struck by me at this time would be followed by revolution — and this I know.

If I desired to kill the Senator, why did not I do it? You all admit that I had him in my power. Let me tell the Member from New Jersey that it was expressly to avoid taking life that I used an ordinary cane, presented to me by a friend in Baltimore, nearly three months before its application to the "bare head" of the Massachusetts Senator. I went to work very deliberately, as I am charged, — and this is admitted, — and speculated somewhat as to whether I should employ a horsewhip or a cowhide; but, knowing that the Senator was my superior in strength, it occurred to me that he might wrest it from my hand, and then — for I never attempt anything I do not perform — I might have been compelled to do that which I would have regretted the balance of my natural life.

The question has been asked in certain newspapers, why I did not invite the Senator to personal combat in the mode usually adopted. Well, sir, as I desire the whole truth to be known

about the matter, I will for once notice a newspaper article on the floor of the House, and answer here.

My answer is, that the Senator would not accept a message; and, having formed the unalterable determination to punish him, I believed that the offense of "sending a hostile message," superadded to the indictment for assault and battery, would subject me to legal penalties more severe than would be imposed for a simple assault and battery. That is my answer.

Now, Mr. Speaker, I have nearly finished what I intended to say. If my opponents, who have pursued me with unparalleled bitterness, are satisfied with the present condition of this affair, I am. I return my thanks to my friends, and especially to those who are from non-slave-owning States, who have magnanimously sustained me, and felt that it was a higher honor to themselves to be just in their judgment of a gentleman than to be a Member of Congress for life. In taking my leave, I feel that it is proper that I should say that I believe that some of the votes that have been cast against me have been extorted by an outside pressure at home, and that their votes do not express the feelings or opinions of the Members who gave them.

To such of these as have given their votes and made their speeches on the constitutional principles involved, and without indulging in personal vilification, I owe my respect. But, sir, they have written me down upon the history of the country as worthy of expulsion, and in no unkindness I must tell them that, for all future time, my self-respect requires that I shall pass them as strangers.

And now, Mr. Speaker, I announce to you and to this House, that I am no longer a Member of the Thirty-Fourth Congress.

LORD BROUGHAM

(1778–1868)

On November 22d, 1830, Henry Brougham, still a commoner, took his seat as Speaker of the House of Lords, Keeper of the Great Seal, and Lord High Chancellor of England.

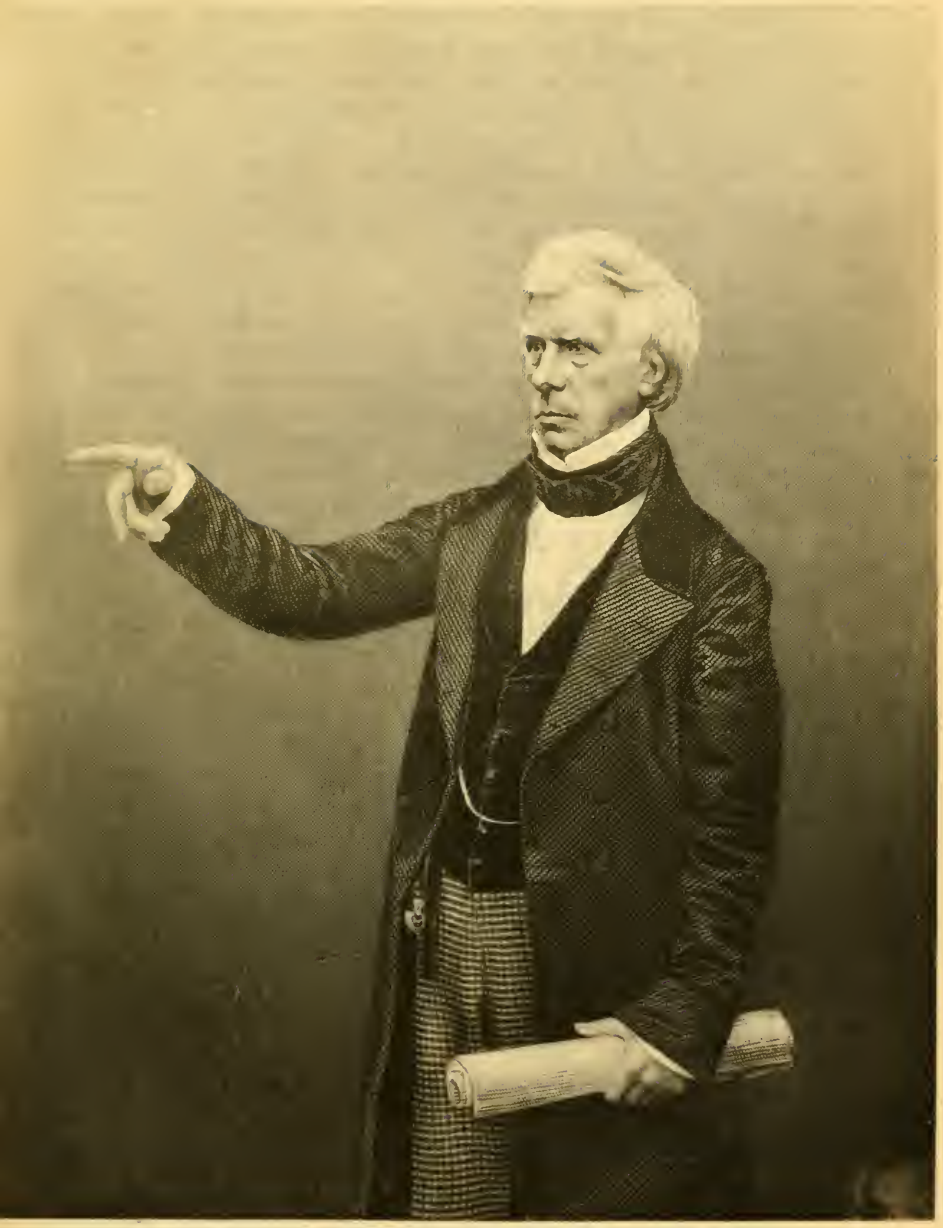
Nothing could be more characteristic than this of the system which has given England its greatness. It is a system which, during the last two hundred years at least, has made possible the highest promotion for every man with the intellect and strength of will to force himself forward and keep his position at the front in spite of the determined opposition of all whom hereditary rank, privilege, or fortune have made powerful without effort of their own.

To promote every such strong and persistent "upstart" is the studied policy which has steadied and perpetuated English aristocracy against the powerful attacks of such men as Brougham. It does not buy them. It could not have bought Brougham. It honors them and so disarms them. "You are one of us," it says to them, "and even if you are against us, we are for you!" So we have two Broughams — both great, but one with an increasing, the other with a waning greatness. It is Henry Brougham, commoner, plain barrister, champion of popular liberties, the greatest Liberal orator of his day, who takes his seat as presiding officer of the chamber which represents hereditary privilege against those very rights as the champion of which he had risen to greatness. A day later the patent of his peerage had been made out. He is "Baron Brougham and Vaux" and is introduced among the peers as one of them — as, indeed, from that time, he never ceased to be. He still fought strenuously the battles of his youth, and the Reform Bill of 1832 had no more ardent champion than he. But he fought as "Baron Brougham," and every day of his life brought him closer to the old age he spent in prattling of his associations with the royal family and of ancestors in the ancient peerage — of ancestors who existed, as even his friendly biographers fear, only in his always active and at last uncontrolled imagination. He had not been bought with honors and titles. He could not have been purchased. He was merely assimilated, but in the end his power went out from him completely. Henry Brougham, the greatest mind of England, showing in statesmanship, in oratory,

LORD BROUGHAM.

After a Portrait from Life by Mayall.

LORD BROUGHAM'S portraits are numerous and nearly all good. No man knew better than he how a great orator should look at his climaxes. He has illustrated in his pose the superiority of conscious intellectual power.



in literature, in mathematics, in science, the manifold talents which delighted while they controlled the England of 1830, came at last to be merely a member of the peerage, outliving himself and surviving into a later generation as a memento of his own inconsistencies.

If this will explain or suggest why the judgments passed upon a most extraordinary man have been so diverse, it will have its own excuse for attempting to take its place with other explanations where none are adequate. It is impossible to judge such a man as Brougham by ordinary standards. Except Benjamin Franklin, no statesman of modern times has had such a diversity of gifts or has shown such an easy mastery of the agencies through which mind controls other minds and the material world around it. He had Franklin's strong love for science. The two men illustrate the same astonishing versatility, the same strong desire to apply knowledge so as to make it of immediate practical advantage; the same ability in public affairs, the same determination so to live as to leave the world after them better, freer, and more comfortable than they found it. Yet Brougham invented no bedroom stoves and sent no kites to heaven to call down social, political, and economic revolutions out of the clouds. Lacking this gift of Franklin's, he had others which Franklin had not. He set himself to become the greatest orator in the public life of England, and succeeded. He worked as deliberately to acquire a "genius for oratory" as Franklin worked to make his open stove ventilate a bedroom. He succeeded as well. When he "learned by heart" the great orations of men whose eloquence had swayed crowds with the masterful power which mind when freely expressed always exerts, it was not to imitate but to assimilate. When he defended Queen Caroline, when he denounced the lash in the British army, when he plead for the liberation of British slaves, when he opposed himself to every enemy of progress, making himself the mouthpiece of the aspiration of the Wilberforces and the Howards, surrendering his voice to be the voice of those who are themselves speechless because of oppression, it was not Cicero, not Demosthenes, not any framer of classical periods, speaking to times of which classical modes are no longer a part, but the very deepest aspiration of the times themselves, the very highest inspiration which the present can catch from the future it is to achieve by its struggles and its sacrifices.

In the noble climax of his speech at Liverpool in 1812, after having denounced Pitt for the war upon America, Brougham said that his own proudest ambition was to be looked upon by posterity as the friend of liberty and peace.

This ambition he has realized. From 1808, when he was admitted to the bar of England, until after the struggle over the Reform Bill

of 1832, he was a great and growing force for the progress of England, not merely in power, but in all that makes civilization. He forced the fighting for the abolition of degrading punishments in the army and navy; he compelled public attention to English slave-holding and English complicity in the slave trade until the demand for action could not be evaded; he dared the displeasure of the court and won the lasting enmity of the King by taking the part of the unfortunate Queen Caroline, and at the same time he was experimenting in optics, studying mathematics, and writing scientific papers for the English Royal Society or the French Academy of Sciences.

Seeing him passing in a carriage one of his acquaintances said of him, with that resentment genius often challenges from those it seeks to benefit: «There go Solon, Lycurgus, Demosthenes, Archimedes, Sir Isaac Newton, Lord Chesterfield, and a great many more, all in one post-chaise.»

If he invited such scoffs by the very eagerness of his intellectual grasp, if finally through the arrogance of attempting everything, he lost the substance for the shadow of attainment, he had achieved in the meantime more in his own lifetime than it could happen to men of normally active intellect to achieve if they lived to double his great age. It has been said that he left nothing of permanent value in literature, but his 'Statesmen of the Time of George IV.' has the rare power of compelling the reader who begins it to go on. The sketches, though they may be called nothing but sketches, have in them the life of times of which Brougham was a part, and they go with his speeches to make his intellect intelligible, not merely in its methods, but in its essence. At his best, when he was doing the work which made him great, he was not critical but constructive in his processes. His mind was creative, assimilative, ready to take from every source, no matter how humble, that which gives strength and originality. The same quality made Burke a great orator as it made Shakespeare a great poet. In spite of such weaknesses as grew on Brougham until they made him powerless to realize himself in action, it made him great—so great that when his detractors call him a failure in all the climaxes of his efforts, it is enough to answer that the world has grown more through such failures than it has through the best successes of those who dared not take such risks as he dared at the expense of failure.

W. V. B.

AGAINST PITT AND WAR WITH AMERICA

(Delivered at the Liverpool Election, Friday, October 8th, 1812)

GENTLEMEN, I told you last night when we were near the head of the poll, that I, for one at least, would neither lose heart in the conflict, nor lower my courage in fighting your battles, nor despair of the good cause although we should be fifty, a hundred, or even two hundred behind our enemies. It has happened this day that we have fallen short of them, not quite by two hundred, but we have lost one hundred and seventy votes. I tell you this with the deepest concern, with feelings of pain and sorrow which I dare not trust myself in attempting to express. But I tell it you without any sensation approaching to despondency. This is the only feeling which I have not now present in my breast. I am overcome with your unutterable affection towards me and my cause. I feel a wonder mingled with gratitude, which no language can even attempt to describe, at your faithful, unwearied, untamable exertions in my behalf of our common object. I am penetrated with an anxiety for its success, if possible more lively than any of yourselves can know who are my followers in this mighty struggle — an anxiety cruelly increased by that which as yet you are ignorant of, though you are this night to hear it. To my distinguished friends who surround me, and connect me more closely with you, I am thankful beyond all expression. I am lost in admiration of the honest and courageous men amongst you who have resisted all threats as well as all bribes, and persevered in giving me their free unbought voices. For those unhappy persons who have been scared by imminent fear on their own and their children's behalf from obeying the impulse of their conscience, I feel nothing of resentment — nothing but pity and compassion. Of those who have thus opposed us, I think as charitably as a man can think in such circumstances. For this great town (if it is indeed to be defeated in the contest, which I will not venture to suppose), for the country at large whose cause we are upholding — whose fight we are fighting — for the whole manufacturing and trading interests — for all who love peace — all who have no profit in war — I feel moved by the deepest alarm lest our grand attempt may not prosper. All these feelings are in my heart at this moment — they are various, they are conflicting, they are painful, they are

burthensome, but they are not overwhelming, and amongst them all — and I have swept round the whole range of which the human mind is susceptible — there is not one that bears the slightest resemblance to despair. I trust myself once more in your faithful hands; I fling myself again on you for protection; I call aloud to you to bear your own cause in your hearts; I implore of you to come forth in your own defense, for the sake of this vast town and its people, for the salvation of the middle and lower orders, for the whole industrial part of the whole country; I entreat you by your love of peace, by your hatred of oppression, by your weariness of burthensome and useless taxation, by yet another appeal to which those must lend an ear who have been deaf to all the rest; I ask it for your families, for your infants, if you would avoid such a winter of horrors as the last. It is coming fast upon us; already it is near at hand; yet a few short weeks and we may be in the midst of those unspeakable miseries, the recollection of which now rends your very souls. If there is one freeman amongst this immense multitude who has not tendered his voice, and if he can be deaf to this appeal, if he can suffer the threats of our antagonists to frighten him away from the recollection of the last dismal winter, that man will not vote for me. But if I have the happiness of addressing one honest man amongst you, who has a care left for his wife and children, or for other endearing ties of domestic tenderness (and which of us is altogether without them?), that man will lay his hand on his heart when I now bid him do so, and with those little threats of present spite ringing in his ear, he will rather consult his fears of greater evil by listening to the dictates of his heart, when he casts a look towards the dreadful season through which he lately passed, and will come bravely forward to place those men in Parliament whose whole efforts have been directed towards the restoration of peace and the revival of trade.

Do not, gentlemen, listen to those who tell you the cause of freedom is desperate; they are the enemies of that cause and of you, but listen to me,— and I am one who has never yet deceived you,— I say, then, that it will be desperate if you make no exertions to retrieve it. I tell you that your language alone can betray it, that it can only be made desperate through your despair. I am not a man to be cast down by temporary reverses, let them come upon me as thick and as swift and as

sudden as they may. I am not he who is daunted by majorities in the outset of a struggle for worthy objects,—else I should not now stand here before you to boast of triumphs won in your cause. If your champions had yielded to the force of numbers, of gold, of power,—if defeat could have dismayed them, then would the African slave trade never have been abolished, then would the cause of reform, which now bids fair to prevail over its enemies, have been long ago sunk amidst the desertions of its friends; then would those prospects of peace have been utterly benighted, which I still devoutly cherish, and which even now brighten in our eyes; then would the orders in council which I overthrew by your support, have remained a disgrace to the British name, and an eternal obstacle to our best interests. I no more despond now than I have done in the course of those sacred and glorious contentions, but it is for you to say whether to-morrow shall not make it my duty to despair. To-morrow is your last day; your last efforts must then be made; if you put forth your strength the day is your own; if you desert it, it is lost. To win it, I shall be the first to lead you on and the last to forsake you.

Gentlemen, when I told you a little while ago that there were new and powerful reasons to-day for ardently desiring that our cause might succeed, I did not sport with you; yourselves shall now judge of them. I ask you,—Is the trade with America of any importance to this great and thickly peopled town? [Cries of, "Yes, yes!"] Is a continuance of the rupture with America likely to destroy that trade? [Loud cries of, "It is, it is!"] Is there any man who would deeply feel it, if he heard that the rupture was at length converted into open war? Is there a man present who would not be somewhat alarmed if he supposed that we should have another year without the American trade? Is there any one of nerves so hardy, as calmly to hear that our government has given up all negotiation, abandoned all hopes of speedy peace with America? Then I tell that man to brace up his nerves; I bid you all be prepared to hear what touches you all equally. We are by this day's intelligence at war with America in good earnest; our government has at length issued letters of marque and reprisal against the United States. [Universal cries of, "God help us, God help us!"] Aye, God help us! God of his infinite compassion take pity on us! God help and protect this poor town, and this whole trading country!

Now I ask you whether you will be represented in Parliament by the men who have brought this grievous calamity on your heads, or by those who have constantly opposed the mad career which was plunging us into it? Whether you will trust the revival of your trade — the restoration of your livelihood — to them who have destroyed it, or to me whose counsels, if followed in time, would have averted this unnatural war, and left Liverpool flourishing in opulence and peace? Make your choice, for it lies with yourselves which of us shall be commissioned to bring back commerce and plenty,— they whose stubborn infatuation has chased those blessings away, or we, who are only known to you as the strenuous enemies of their miserable policy, the fast friends of your best interests.

Gentlemen, I stand up in this conquest against the friends and followers of Mr. Pitt, or, as they partially designate him, the immortal statesman, now no more. Immortal in the miseries of his devoted country! Immortal in the wounds of her bleeding liberties! Immortal in the cruel wars which sprang from his cold miscalculating ambition! Immortal in the intolerable taxes, the countless loads of debt which these wars have flung upon us— which the youngest man among us will not live to see the end of! Immortal in the triumph of our enemies, and the ruin of our allies, the costly purchase of so much blood and treasure! Immortal in the afflictions of England, and the humiliations of her friends, through the whole results of his twenty years' reign, from the first rays of favor with which a delighted court gilded his early apostasy, to the deadly glare which is at this instant cast upon his name by the burning metropolis of our last ally. But may no such immortality ever fall to my lot; let me rather live innocent and inglorious; and when at last I cease to serve you, and to feel for your wrongs, may I have an humble monument in some nameless stone, to tell that beneath it there rests from his labors in your service "an enemy of the immortal statesman — a friend of peace and of the people."

Friends, you must now judge for yourselves, and act accordingly. Against us and against you stand those who call themselves the successors of that man. They are the heirs of his policy; and if not of his immortality, too, it is only because their talents for the work of destruction are less transcendent than his. They are his surviving colleagues. His fury survives in them, if not his fire; and they partake of all his infatuated principles, if

they have lost the genius that first made those principles triumphant. If you choose them for your delegates you know to what policy you lend your sanction — what men you exalt to power. Should you prefer me, your choice falls upon one who, if obscure and unambitious, will at least give his own age no reason to fear him, or posterity to curse him, — one whose proudest ambition it is to be deemed the friend of liberty and of peace.

CLOSING ARGUMENT FOR QUEEN CAROLINE

My lords, I have another remark to make before I leave this case. I have heard it said by some acute sifters of evidence: "Oh! you have damaged the witnesses, but only by proving falsehoods, by proving perjury indeed, in unimportant particulars." I need but remind your lordships that this is an observation which can only come from the lay part of the community. Any lawyer at once will see how ridiculous, if I may so speak, such an objection must always be. It springs from an entire confusion of ideas, a heedless confounding together of different things. If I am to confirm the testimony of an accomplice — if I am to set up an informer — no doubt my confirmation ought to extend to matters connected with the crime — no doubt it must be an important particular, else it will avail me nothing to prove it by way of confirmation. But it is quite the reverse in respect to pulling down a perjured witness, or a witness suspected of swearing falsely. It is quite enough if he perjure himself in any part to take away all credit from the whole of his testimony. Can it be said that you are to pick and choose; that you are to believe in part, and reject the rest as false? You may, indeed, be convinced that a part is true, notwithstanding other parts are false — provided these parts are not falsely and willfully sworn to by the witness, but parts which he may have been ignorant of, or may have forgotten, or may have mistaken. In this sense, you may choose — culling the part you believe and separating the part you think contradicted. But if one part is not only not true — is not only not consistent with the fact, but is falsely and willfully sworn to on his part — if you are satisfied that one part of his story is an invention, to use the plain word, a lie, and that he is a forsworn man — good God!

my lords, what safety is there for human kind against the malice of their enemies — what chance of innocence escaping from the toils of the perjured and unprincipled conspirator, if you are to believe part of a tale, even though ten witnesses swear to it, all of whom you convict of lying and perjury in some other part of the story? I only pray your lordships to consider what it is that forms the safeguard of each and every one of you against the arts of the mercenary or the spiteful conspirator. Suppose any one man,— and let each of your lordships lay this to his mind before you dismiss the mighty topic,— suppose any one of your lordships were to meet with a misfortune, the greatest that can befall a human being, and the greater in proportion as he is of an honorable mind, whose soul is alien even to any idea or glance of suspicion of such a case being possible to himself, whose feelings shudder at the bare thought of his name even being accidentally coupled with a charge at which his nature revolts — suppose that mischance, which has happened to the best and purest of men, which may happen to any of you to-morrow, and which, if it does happen, must succeed against you to-morrow, if you adopt the principle I am struggling against — suppose any one of your lordships charged by a mere mercenary scoundrel with the perpetration of a crime at which we show in this country our infinite horror, by almost, and with singular injustice, considering the bare charge to stand in place of proof — suppose this plot laid to defame the fairest reputation in England — I say, that reputation must be saved, if escape it may, only by one means. No perjury can be expected to be exposed in the main, the principal part of the fabric; that can be easily defended from any attack against it; all the arts of the defendant's counsel, and all his experience, will be exhausted in vain: the plotter knows full well (as these conspirators have here done) how to take care that only one person shall swear to a fact — to lay no others present — to choose the time and select the place when contradiction cannot be given, by knowing the time and the place where any one of your lordships, whom he marks for his prey, may have chanced to be alone at any moment of time. Contradiction is not here to be expected,— refutation is impossible. Prevarication of the witness upon the principal part of his case, beyond all doubt, by every calculation of chances, there will not be. But you will be defended by counsel; and the court before whom you are tried will assuredly

have you acquitted, if the villain, who has immovably told a consistent, firm tale (though not contradicted, though not touched, upon the story itself), tells the least falsehood upon the most unimportant particulars on which your advocate shall examine him. My lords, I ask for the Queen no other justice than this upon which you rely, and must needs rely, for your own escape from the charge of such crimes! I desire she may have no other safety than that which forms the only safety to any of your lordships in such cases, before any court that deserved the name of a court of justice, where it might be your lot to be dragged and tried!

I am told that the sphere of life in which Bergami, afterwards promoted to be the Queen's chamberlain, originally moved, compared with the fortune which has since attended him in her service, is of itself matter of suspicion. I should be sorry, my lords, to have lived to see the day when nothing more was required to ruin any exalted character in this free country than the having shown favor to a meritorious servant, by promoting him above his rank in society, the rank of his birth. It is a lot which has happened to many a great man — which has been that of those who have been the ornaments of their country. God forbid that we should ever see the time when all ranks, all stations in this community, except the highest, were not open to all men, and that we should ever reckon it of itself a circumstance even of suspicion in any person (for neither sex can be exempt from an inference of such a nature if it is once made general and absolute) that he has promoted an inferior to be his equal! Let me, however, remind your lordships, that the rapidity of the promotion of Bergami has been greatly overstated; and the manner in which it took place is a convincing proof that the story of love having been the cause of it is inconsistent with the fact. Now, this I state, from a distinct recollection of the dates in the evidence before you. Believe Majocchi or Dement, and three weeks after Bergami's arrival in the household, he was promoted to the Queen's bed. How was it with respect to her board? Because, after that, he continued in the situation of courier; he dined with the servants, and lived not even with the chamberlains; certainly not with those gentlemen, for they were at her table, as usual. He continued to dine with the servants at Genoa; there, withstanding Majocchi's story, it is proved to your lordships that he did not dine with her Majesty.

He continued as courier, even after he had once sat at her Majesty's table by accident, by one of the accidents usual in traveling. It appears even in the evidence (believing it to be true), that the Queen sat at the table where he was for the space of one day. He, however, continued as courier; and it was only on the eve of the long voyage that he was admitted to her table, commencing with the journey to Mount St. Gothard. He continued in his situation as courier, still in livery, until, by degrees, he was promoted, first to travel in a carriage of his own, instead of riding on horseback. Then he was promoted occasionally to sit at the same table with the Queen, and at last he was appointed a chamberlain generally. My lords, this is not consistent with the story told of Naples. Show me the woman, particularly the amorous, the imprudent, the insane woman her Majesty is described to be by those perjured witnesses, who would have allowed her paramour, after indulging in all the gratifications described at Naples, for weeks and months, to continue for months, and almost for years, in an apparent menial capacity! My lords, this is not the rapidity of pace with which love promotes his favorite votaries; it much more resembles the sluggish progress with which merit wends its ways in the world, and in courts. He was a man of merit, as you will hear in evidence,—if you put me on calling any. He was not of the low origin he has been described to be. He was a person whose father held the situation of a landed proprietor, though of moderate income, in the north of Italy. He had got into difficulties as has happened to many of the Italian gentry of late years; and his son, if I mistake not, had sold the family estate, in order to pay his father's debts. He was reduced — but he was a reduced gentleman. When he was in the service of General Pino, he was recognized as such. The General repeatedly favored him as such: he has dined at his table, General Pino being the commander-in-chief in the Milanese. He thus sat at the table of an Italian noble in the highest station. He has dined at his table during the Spanish campaigns. He was respected in his station — he was esteemed by those whom he served at that time. They encouraged him, as knowing his former pretensions and his present merits; and when he was hired, he was proposed by a gentleman who desired to befriend and promote him, an Austrian nobleman, then living in Italy, in the Austrian service — he was proposed to the Queen's chamberlain as a courier, there being a vacancy,

and was hired without the knowledge of her Majesty, and before she had even seen him. The Austrian nobleman, when he offered him as a courier, said, he fairly confessed he hoped, if Bergami behaved well, he might be promoted, because he was a man whose family had seen better days, because he was a faithful servant, and because he had ideas belonging rather to his former than to his present situation. It was almost a condition of his going, that he should go for the present as courier, with the expectation of soon filling some other and higher place.

I do not dwell on this, my lords, as of any importance to the case; for whether I shall think it necessary to prove what I have just stated or not, I consider that I have already disposed of the case in the comments which I have made upon the evidence, and in the appeal which I have made to the general principles of criminal justice. But, as the conduct of her Majesty has been so unsparingly scrutinized, and as it is important to show that not even impropriety existed, where I utterly defy guilt to be proved, I thought it requisite to dwell on this prominent feature in the cause. If the Queen had frequented companies below her station — if she had lowered her dignity — if she had followed the courses which, though not guilty ones, might be deemed improper in themselves and inconsistent with her high station — if she had been proved guilty of any unworthiness, I could have trod upon high ground still. But I have no occasion to occupy it. I say, guilt there is none — levity there is none — unworthiness there is none. But, if there had been any of the latter, while I dared her accusers to the proof of guilt, admitting levity and even indecorum, I might still have appealed to that which always supports virtue in jeopardy, the course of her former life at home, among her own relations, before she was frowned upon here — while she had protection among you — while she had the most powerful of all protection, that of our late venerable monarch. I hold in my hand a testimonial — which cannot be read, and which I am sure will not be weighed, without the deepest sense of importance; above all, without a feeling of sorrow when we reflect upon the reign that has passed, and compare it with the rule we live under. It is a melancholy proof, — more melancholy because we no longer have him who furnishes it amongst us, — but it is a proof how that illustrious sovereign viewed her, whom he knew better than all others — whom he loved more than all the rest of her family did — even than those upon whose affection she had a

greater claim; nay, whom he loved better than he did almost any child of his own. The plainness, the honesty, the intelligible, and manly sense of this letter are such that I cannot refrain from the gratification of reading it. It was written in 1804:—

WINDSOR CASTLE, November 13th, 1804.

My Dearest Daughter-in-Law and Niece:—

Yesterday I and the rest of my family had an interview with the Prince of Wales, at Kew. Care was taken on all sides to avoid all subjects of altercation or explanation, consequently the conversation was neither instructive nor entertaining; but it leaves the Prince of Wales in a situation to show whether his desire to return to his family is only verbal or real (a difference which George III. never knew, except in others), which time alone can show. I am not idle in my endeavors to make inquiries that may enable me to communicate some plan for the advantage of the dear child you and I, with so much reason, must interest ourselves in, and its effecting my having the happiness of living more with you is no small incentive to my forming some ideas on the subject; but you may depend on their being not decided upon without your thorough and cordial concurrence, for your authority as mother it is my object to support.

Believe me at all times, my dearest daughter-in-law and niece,

Your most affectionate father-in-law and uncle,

GEORGE R.

Such, my lords, was the opinion which this good man, not ignorant of human affairs, no ill judge of human character, had formed of this near and cherished relation, and upon which, in the most delicate particulars, the care of his granddaughter and the heir of his crown, he honestly, really, and not in mere words, always acted.

I might now read to your lordships a letter from his illustrious successor, not written in the same tone of affection — not indicative of the same feelings of regard — but by no means indicative of any want of confidence, or at least of any desire harshly to trammel his royal consort's conduct. I allude to a letter which has been so often before your lordships in other shapes, that I may not think it necessary to repeat it here. It is a permission to live apart, and a desire never to come together again; the expression of an opinion, that their happiness was better consulted, and pursued asunder; and a very plain indication, that her Majesty's conduct should at least not be watched with all the scrupulousness, all the rigor, all the scrutinizing agency which

has resulted in bringing the present Bill of Pains and Penalties before your lordships. [Cries of "Read, read!" Mr. Brougham accordingly read the letter, as follows:]

WINDSOR CASTLE, April 30th, 1796.

Madam: —

As Lord Cholmondely informs me that you wish I would define, in writing, the terms upon which we are to live, I shall endeavor to explain with as much clearness and with as much propriety as the nature of the subject will admit. Our inclinations are not in our power, nor should either of us be held answerable to the other, because nature has not made us suitable to each other. Tranquil and comfortable society is, however, in our power; let our intercourse, therefore, be restricted to that, and I will distinctly subscribe to the condition which you required, through Lady Cholmondely, that even in the event of any accident happening to my daughter, which I trust Providence in its mercy will avert, I shall not infringe the terms of the restriction, by proposing at any period, a connexion of more particular nature. I shall finally close this disagreeable correspondence, trusting that, as we have completely explained ourselves to each other, the rest of our lives will be passed in uninterrupted tranquillity. I am, Madam, with great truth, very sincerely yours,

GEORGE P.

My lords, I do not call this, as it has been termed, a Letter of License; such was the term applied to it, on the former occasion, by those who are now, unhappily for the Queen, no more,— those who were the colleagues and coadjutors of the present ministers,— but I think it such an epistle as would make it a matter of natural wonderment to the person who received it, that her conduct should ever after — and especially the more rigorously the older the parties were growing — become the subject of the most unceasing and unscrupulous watching, prying, spying, and investigation.

Such then, my lords, is this case. And again let me call on you, even at the risk of repetition, never to dismiss for a moment from your minds the two great points upon which I rest my attack upon the evidence: — first, that the accusers have not proved the facts by the good witnesses who were within their reach, whom they had no shadow of pretext for not calling; and secondly, that the witnesses whom they have ventured to call are, every one of them, irreparably damaged in their credit. How, I again ask, is a plot ever to be discovered, except by the

means of these two principles? Nay, there are instances, in which plots have been discovered, through the medium of the second principle, when the first had happened to fail. When venerable witnesses have been brought forward — when persons above all suspicion have lent themselves for a season to impure plans — when no escape for the guiltless seemed open, no chance of safety to remain — they have almost providentially escaped from the snare by the second of those two principles; by the evidence breaking down where it was not expected to be sifted; by a weak point being found, where no provision, from the attack being unforeseen, had been made to support it. Your lordships recollect that great passage — I say great, for it is poetically just and eloquent, even were it not inspired — in the Sacred Writings, where the Elders had joined themselves in a plot which appeared to have succeeded "for that," as the Book says, "they had hardened their hearts, and had turned away their eyes, that they might not look at heaven, and that they might do the purposes of unjust judgment." But they, though giving a clear, consistent, uncontradicted story, were disappointed, and their victim was wrested from their grip, by the trifling circumstance of a contradiction about a tamarisk tree. Let not man call those contradictions or those falsehoods which false witnesses swear to from needless and heedless falsehood, such as Sacchi about his changing his name — or such as Demont about changing her letters — such as Majocchi about the banker's clerk — or such as all the other contradictions and falsehoods not going to the main body of the case, but to the main body of the credit of the witnesses — let no man rashly and blindly call these accidents. They are just rather than merciful dispensations of that Providence, which wills not that the guilty should triumph, and which favorably protects the innocent!

Such, my lords, is the case now before you! Such is the evidence in support of this measure — evidence inadequate to prove a debt; impotent to deprive of a civil right; ridiculous to convict of the lowest offense; scandalous if brought forward to support a charge of the highest nature which the law knows; monstrous to ruin the honor, to blast the name of an English Queen! What shall I say, then, if this is the proof by which an act of judicial legislation, a parliamentary sentence, an *ex post facto* law, is sought to be passed against this defenseless woman? My lords, I pray you to pause. I do earnestly beseech you to take heed!

You are standing on the brink of a precipice — then beware! It will go forth as your judgment, if sentence shall go against the Queen. But it will be the only judgment you ever pronounced, which, instead of reaching its object, will return and bound back upon those who give it. Save the country, my lords, from the horrors of this catastrophe; save yourselves from this peril; rescue that country, of which you are the ornaments, but in which you can flourish no longer, when severed from the people, than the blossom when cut off from the roots and the stem of the tree. Save that country, that you may continue to adorn it; save the crown, which is in jeopardy; the aristocracy which is shaken; save the altar, which must stagger with the blow that rends its kindred throne! You have said, my lords, you have willed — the Church and the King have willed — that the Queen should be deprived of its solemn service! She has instead of that solemnity, the heartfelt prayers of the people. She wants no prayers of mine. But I do here pour forth my humble supplications at the throne of mercy, that that mercy may be poured down upon the people, in a larger measure than the merits of its rulers may deserve, and that your hearts may be turned to justice!

B. GRATZ BROWN

(1826–1885)

B. Gratz Brown who, in the presidential campaign of 1872, led the Liberal Republican movement in the West, was born in Kentucky in 1826. He was a graduate of Yale College and a lawyer by profession. His ability at the bar was notable, but it is as a representative of the Liberal Republican movement in the North after the close of the Civil War that he is apt to be longest remembered. He became a resident of St. Louis in 1852, and not long afterwards was elected to the State legislature. In 1854 he founded the Missouri Democrat, and gave it marked influence in the politics of the period. During the Civil War he commanded a brigade in the Union army. In 1863 he was elected to the United States Senate from Missouri, and in 1872 was nominated for Vice-President on the Liberal Republican ticket with Horace Greeley.

Though defeated by an electoral vote which seemed to be overwhelming, Greeley and Brown succeeded during that campaign in giving direction to the politics of the next fifteen years. They represented the increasing desire at the North and West to divert the country as a whole from the issues of the Civil War. They believed that this could not be done unless the movement for it began in the section which had won in the contest, and hence at a time when it subjected them to violent attack they led a Republican minority to co-operate with the Northern Democrats and the combination of Whigs and Democrats at the South, which was then contesting every presidential election, with a remote chance of winning through the electoral votes of the South, New York, and some State of the central West. Some of these Republicans who returned to their party helped to influence it towards the policies which under Hayes, Garfield, and Arthur, altered completely the political alignment of the States, and caused the great changes, which, though they were potentially in existence at the close of Arthur's term, did not fully manifest themselves until the campaign of 1892.

A PROPHECY

(United States Senate, March 8th, 1864)

THE supreme democracy, which has been smothered so long under names and parties and cunning issues, has in these disturbed times recognized itself, and demands as its exponent a political form coextensive with the country, and imperial as itself. It does not need to tread back into the old exploded days to tell how unutterably the slave system that stained our name and wrecked our Federal unity has ever held in dread the undefiled democratic principle; how it has sought under a like nomenclature to palm off something other in its stead; how it has labored to divert it into other channels of foreign conquest rather than home assertion; how it has manacled it with chains of local organization and demoralized it with the spoils of office. The recorded debates of this Senate will show far back how such fear ever haunted those leaders who have now taken a last appeal from democracy to war. At the point where rebellion began, they recognized perfectly that if they were to preserve intact the slave system from being obliterated by the progress of a plebeian public will, it must be done by a resort to violence and terror. They chose that resort deliberately, not foolishly, and have stood to it with conviction and courage. It was the irrepressible conflict. And the antagonism is manifest now in the throes of an unparalleled struggle still more than in the plastic days of peace; for with them development has shaped their slavery into confederate despotism, while here revolution uprises into nationality. The latent force of this American people, the feeling of brotherhood, the need of unity, at length demands and will have clear, emphatic type as a nation. What other is the meaning of this so rapid resumption of sovereign right in all departments of the government? Drawing a sustenance no longer from the customs but from the firesides, substituting national paper-credits for all other currencies, levying armies directly by conscriptions, not remotely by contingents, organizing vast industries, mortgaging the next age to its debt, and enforcing its law as highest law even in matters of personal liberty — these are but as outer garments of an inner form already instinct with life. Nor is this a completion. So much has been realized, while in the

future still more impends. The industrial relations of reconquered territories, inauguration of majestic commercial ways, settlements affecting multitudes of people, and vast undeveloped wealth, are in its hands. Again, consider the changed relations of heretofore self-styled sovereign States. Much has been said during the shadowing forth of this new phase of our political life of the "Suicide of States," and in groping down into the rubbish of the time it has been deemed needful to affix names and hypotheses to ascertain results. But what needs? That no authority has been asked or resistance heeded from any State in enforcing national policies is literally true, and that such enforcement is inconsistent with any recognized vitality in State organization other than a strictly subordinate one, none will controvert. Call it, then, suicide or subordination, the implication is the same. Indeed, it is realized on every side that what was heretofore held up as "State," with assumption of a coequal or antagonistic control as such, is gone down in the mighty tread of this people marching on to deliverance. Commonwealths may exist, may be revived, may do functional work, may co-operate in subordinate orbits, but their so-called sovereignty assuredly is suicide. State sovereignty, the least sought to be put on the democracy of the nation; State sovereignty, the banner of the oligarchs in their war on freedom; State sovereignty, the archetype of disunion and disintegration, has become a myth and a fable, and in the stead of its many idols there shines forth the one splendor and power of a national sovereignty foreordained to conquest. Such is the outgrowth. Substantially it is the expression in advance of that which is to follow in due time by its appointed courses — the continental republic. It is the highest type of nationality, bounded by no mixed frontier of impassable prejudice, but representative of whoever may assimilate under its standard; for while European rulers are seeking to bolster themselves with nativisms, and to render synonymous nationalities and races, it is ours to assert the larger and truer nationality of free principles and free men. Nor does this connect simply with geographical progress or endanger compactness of guidance and control; for as its birth is from the people, so will it reflect their positioning. Democracy is its parent, — democracy that asserts and recognizes itself again in the lusty turmoil of our great commotions, — and democracy means numbers, and numbers govern from the centre outward, and not jug handle wise from any

remote source. Thus we see, and the fact is significant, in the vast impulses given to freedom policies, war policies, and national policies in the great basin of the Mississippi, with its fifteen millions of population, new illustration of the democratic force and faith of the people. Go forward furthermore, make dense that population, intensify the life of the recovered States, enumerate fifty millions instead of fifteen millions, and consider of the result. Power there, government there, democratic organism there, reposing on rural and industrial masses, will abjure the monarchies of special interests that have sat around the edges clutching at control, and coerce the Republic into healthy action throughout.

Originating thus, this new development of a national unity will require no after-molding to make it representative in its promptings. It will be a form of organized popular thought that will dictate to cabinets and administrations other policies than those of this hour; that will look outward as well as inward, and if it accept its mission of a continental republic will be prompt to recognize the antagonisms erecting beyond and around us, no less than the incongruities abolishing within our present confines. Be sure it will prove no respecter of diplomatic connection that looks ever backward and never forward; that multiplies its ambassadors and its plenipotentiaries, tailed out a hundredfold by suits and attachés, and numberless commercial agents, to connect a shipping interest with twenty million artisans of Europe; but apologizes through a couple of ministers and half a dozen consuls for its failure to unite our vast production and manufacture with three hundred million machineless consumers around the Pacific circle. Be sure likewise it will not fail to note and resent the intrusion of trans-Atlantic monarchies to crush out a republic in Mexico, seize on the islands of the Gulf, and fortify a thousand miles of seacoast threatening the line of our interoceanic communication. France, Spain, England, a triple alliance, eager and watchful for the death of discordant belligerent States, will have to confront for their conquests a nation rising as a phœnix, writing freedom on its flag, and fraternizing with liberty in all lands.

And with equal, if not still greater scrutiny, will the newborn aspiration for national life look within to shape the expression and the correlations on which its future must repose. The fact that we have never been a nation heretofore, that in three

quarters of a century we have achieved no individuality, that our civilization has been insignificant and transient and barren, only sharpens the zest for a future of enduring accomplishment. That such a future cannot be predicated on distinctions of race, on subordination of classes, on the accidents of lineage or tongue or clime, neither upon enslavement in any name or wealth or caste or condition — all this is certain, for it has been tried and failed; has once been inoculated into the system to cure our social disease, but instead of healing has run into this putrid eruption that threatens us with anarchic death. That new life must be founded on assimilation, not antagonisms; on an ingrown unity, not an irreconcilable contradiction. The lowly must be exalted, the slave freed, the chattel humanized, and a democratic equality before the law must obtain for all men. The people must have fraternity as well as solidarity; each must be a multiple of the whole. Just now amalgamation is the ghost in grave clothes that walks to terrify and affright, as if the very nation were not already an amalgam of all peoples, as if for generations heretofore there had not been this same dwelling together side by side that is to be hereafter. Slavery feared not amalgamation; shall freedom, then, be a greater coward? Neither skins, nor colors, nor castes can determine here. The body politic that shall sustain such nationality as ours is foreordained to be must furthermore absorb all increments as they come, and not allow an anaconda torpor of five or seven or twenty years to determine the natural rights of man, his right to be one in any aggregate of many. All such limitation on citizenship will pass away under attrition of growth. The open door of the Republic will invite the oppressed of every land to seek asylum and enter upon the enjoyment of liberty. Impartial justice will stand ready to succor and to aid all who shall appeal from wrong or violence or intimidation. And that grand future of democratic unity will arrive when our people of every lineage and every type shall meet on the plane of equal rights to attest a nationality that will stand out a waymark to the centuries.

The third and completing symbol of the outcome of these times will be found to indicate the instauration here of Christian government, founded upon, indwelling with, and springing out of the divine justices — government recognizing that in the affairs of nations, as in those of individuals, there is one equality that comes of the equality of creation; there is one right, avenger on

compromises, which is the supreme right; there is one law, which ever must be, as it ever has been, a higher law. And they are to become practice, not merely theory. These are earnest days in the experiences of our people, and in this Senate, as abroad throughout the land, the most important fact around and about you is not always your law of yesterday or your tax of to-morrow, or your conscription of a month hence; it is not the vote here, or the battle yonder, but it is the spirit of this nation that upholds these things, and out of which they flow — the spirit that buoys you, Senators, into this upper air, and without which, or false to which, you will sink as empty, collapsed bladders. It is in obedience to such recognition that now you hasten to do that which but lately you refused to do — nay, declared by resolution just repealed that you never would do. These are earnest days, let me repeat it, but of which are coming convictions that will not bear to be trifled with; and as it has become an accepted faith, the idea of nationality, that our being and the being of the nation are one and inseparable for good and for evil, so it will further appear that the existence on which we are entering as a great people is no half life, made up only of the vicissitudes of protection and the exaction of revenues, but must be blended in with those deeper feelings and outlooks and coworkings that ennoble and make sublime communities of men and that entwine enduring hopes with cheering duties.

Nor is this simply affirmation, unsupported by substantial experiences of history. On the contrary, it is the very epitome of what is memorable and held in veneration out of all annals. Never yet at any time have the aspirations of a whole people after enlarged liberties been dissociate from the yearning for a more clear affinity between God and government. And can any fail to see the clear evidence of the same gleamings along our horizon? The voices now that are touched with truest eloquence are those that have come up out of tribulation for conscience's sake in the past. From the pulpit, as in all periods of unrest, proceed the foremost words of guidance — from the pulpit that preaches politics, as some have it; that preaches rather our God-wrought relations to fellow-men equally with those to a future state, as others more clearly interpret. Those grand old mother words of justice and truth and brotherhood begin to have meaning anew kindled up in them by the light that is breaking out around. The nation is putting on its Puritanism. Thanksgivings

appoint themselves unitedly. Days of supplication are become somewhat more than holidays. The bowing down has ceased to be a mockery in the presence of the multitudinous dead; and even they who have heretofore been accounted most indifferent begin to hold to a realizing conviction that God does direct the affairs of a nation by his special providence. The scoffers have had their generation, and we are returned upon a period of faith; these things are plain before us, to be seen of all. Have they, then, no significance? Do they point to no new time? Are they to be swallowed up in reactions as godless as the past in our government? Will the endurances through which we have just passed leave no moral impress? Is there to be no higher record of the deliverances from the great perils than that of the statute book? Can it be possible that the deep moving of the spirit of this people which has accomplished so much of work and worship shall take no permanent form that may transmit it to posterity? No! it cannot be thus — it never has been thus. It will not be in vain that we have learned so many lessons of humiliation, as well as experienced so many signal mercies. The scarlet sins of the past stand revealed and abashed. Is it presumptuous, pharisaical vanity of race — how has it been cast down in the necessity of resort to the armed intervention of another and much discredited race to assist in final suppression of the rebellion! Is it pride of civilization, — how has it been at fault in the presence of so great perils and the appeal for solution to the barbarisms of force, the coarsest methods of untutored nature! Is it reliance upon complex machinery of government, the balances of political science, the trick of names and forms, — how brief has been the delusion, and how complete and undeceiving, showing that all votings and ballotings and adjustings of powers and solemn constitution-making will never naturalize a received falsehood, or equalize the scale of right and wrong! Turn where you will, the lesson is the same, that it is not in departure from, but in conformity to, divine precept that a nation will find its prosperity; that there is a law of retribution for the sin of a people as of a person, and that it is only by cleaving to the right at every sacrifice that any hope of a broad, enduring unity can be justified.

It was a declaration that led to much thought and was significant of much which has since transpired, that this nation could not endure half free and half slave, that one or the other would

be supreme. But it is a truth of far deeper significance that this nation will not long survive with no God anywhere in its Constitution, with policies shamelessly substituted for duties, and with a government the antithesis rather than the exponent of any aspiration of the people for higher development as a free Christian State. The end of such conjunctions must be desolating anarchy, which will be fatal to all respect for authority. What other is the meaning of that strange and stupendous demoralization which has characterized the administration of public affairs in these United States as the result of three quarters of a century's growth? Without doubt ours has been for many years the worst-governed community on the face of the globe, in all aspects of official conduct. Fraud and speculation and neglect and waste and indulgence and nepotism and intrigue and time-serving and all the calendar of crimes do our governing. Towns and cities and States, with multiplied charters and checks, have all taken the same character, fallen to a large extent under sinister control, become asylums of corruption, and are a jeer and a by-word of reproach. Names of policemen, aldermen, Congressmen, bear a stain. When quit of his vocation the curious ask, "Is he honest?" Politics has become a filthy pool, in whose waters the good and brave shrink to be immersed. And this in its entirety is the result of practical atheism in government. The ignoring of any moral responsibility in the State entails the absence of any practical morality in its administration. What other could be the outcome of such national apostasy than the national demoralization upon which we have fallen? And from whence are we to expect any reform? Be sure it will not be from continuance in such courses. Half a century more of like degeneration, and what of good is left in the land will revolt from such dominion, preferring death to abject disgrace. Human nature cannot stand it. This, then, is the momentous question of our people in the present hour, and how best to return to other ideas of government, and other bases of public administration, challenges all their forethought and endeavor, all their humility and entreaty. And it is because the evil lies deeper than men or offices that it demands such inquest. It is not only that pure men shall be put in office, or that there be pure offices to put them in; but the controlling thought over men and offices must be that of purity which recognizes a tribunal before which no deceit prospereth. Indeed, there is no refuge for any nation out

of such a low estate but in despotism to constrain probity, or Christianity to inspire purity; and for democracy, such as ours, where the rule is with the many, the latter is the only safety. And how true is this, as in all things else, in the instinct of peoples; how clearly does this great heart of the multitudes in this day of revolution recognize such dependence, and how sternly is it putting on the armor of faith for the conflict with corruption, and bowing down before God to search out conformity to his eternal laws! The many are not blinded, but clearly see irrepressible conflict between a nation to be saved and a government to be damned. Not that the obsolete type of Church and State will be revived in our Republic, not that formalisms of creed and ritual shall be enacted or set up in the stead of departed convictions, but something more and other than all this, in the repudiation of those falsities that are the parlance of cabinets and the resorts of administrations, in the absolute reception and enforcement of that impartial justice and brotherhood which makes the true social state, and in the elevation to control and authority in the nation of the same moralities and Christianized public thought, which is ever the highest and last appeal among the consciences of men.

HENRY ARMITT BROWN

(1844–1878)

THE oration delivered by Henry Armitt Brown, of the Philadelphia bar, at the Valley Forge Centennial, has been greatly admired. He was born in Philadelphia in 1844 and educated at Yale. His greatest reputation was made as a political orator in presidential campaigns, and in such movements as that for municipal reform in Philadelphia. He died in 1878, and two years later a number of his speeches were collected and published.

ONE CENTURY'S ACHIEVEMENT

(Delivered at the Valley Forge Centennial)

My Countrymen: —

THE century that has gone by has changed the face of nature and wrought a revolution in the habits of mankind. We stand to-day at the dawn of an extraordinary age. Freed from the chains of ancient thought and superstition, man has begun to win the most extraordinary victories in the domain of science. One by one he has dispelled the doubts of the ancient world. Nothing is too difficult for his hand to attempt — no region too remote — no place too sacred for his daring eye to penetrate. He has robbed the earth of her secrets and sought to solve the mysteries of the heavens! He has secured and chained to his service the elemental forces of nature — he has made the fire his steed — the winds his ministers — the seas his pathway — the lightning his messenger. He has descended into the bowels of the earth, and walked in safety on the bottom of the sea. He has raised his head above the clouds, and made the impalpable air his resting-place. He has tried to analyze the stars, count the constellations, and weigh the sun. He has advanced with such astounding speed that, breathless, we have reached a moment when it seems as if distance has been annihilated, time made as naught, the invisible seen, the inaudible heard, the unspeakable spoken, the intangible felt, the impossible accomplished. And already we knock at the door of a new century which promises

to be infinitely brighter and more enlightened and happier than this. But in all this blaze of light which illuminates the present and casts its reflection into the distant recesses of the past, there is not a single ray that shoots into the future. Not one step have we taken toward the solution of the mystery of life. That remains to-day as dark and unfathomable as it was ten thousand years ago.

We know that we are more fortunate than our fathers. We believe that our children shall be happier than we. We know that this century is more enlightened than the last. We believe that the time to come will be better and more glorious than this. We think, we believe, we hope, but we do not know. Across that threshold we may not pass: behind that veil we may not penetrate. Into that country it may not be for us to go. It may be vouchsafed to us to behold it, wonderingly, from afar, but never to enter in. It matters not. The age in which we live is but a link in the endless and eternal chain. Our lives are like the sands upon the shore; our voices like the breath of this summer breeze that stirs the leaf for a moment and is forgotten. Whence we have come and whither we shall go, not one of us can tell. And the last survivor of this mighty multitude shall stay but a little while.

But in the impenetrable To Be, the endless generations are advancing to take our places as we fall. For them, as for us, shall the earth roll on and the seasons come and go, the snowflakes fall, the flowers bloom, and the harvests be gathered in. For them as for us shall the sun, like the life of man, rise out of darkness in the morning and sink into darkness in the night. For them as for us shall the years march by in the sublime procession of the ages. And here, in this place of sacrifice, in this vale of humiliation, in this valley of the shadow of that death out of which the life of America arose, regenerate and free, let us believe with an abiding faith that, to them, union will seem as dear, and liberty as sweet, and progress as glorious, as they were to our fathers, and are to you and me, and that the institutions which have made us happy, preserved by the virtue of our children, shall bless the remotest generations of the time to come. And unto him who holds in the hollow of his hand the fate of nations, and yet marks the sparrow's fall, let us lift up our hearts this day, and into his eternal care commend ourselves, our children, and our country.

THE DANGERS OF THE PRESENT

(Delivered at the Centennial of the First Colonial Congress)

The conditions of life are always changing, and the experience of the fathers is rarely the experience of the sons. The temptations which are trying us are not the temptations which beset their footsteps, nor the dangers which threaten our pathway the dangers which surrounded them. These men were few in number; we are many. They were poor, but we are rich. They were weak, but we are strong. What is it, countrymen, that we need to-day? Wealth? Behold it in your hands. Power? God has given it to you. Liberty? It is your birthright. Peace? It dwells amongst you. You have a government founded in the hearts of men, built by the people for the common good. You have a land flowing with milk and honey; your homes are happy, your workshops busy, your barns are full. The school, the railway, the telegraph, the printing press, have welded you together into one. Descend those mines that honeycomb the hills! Behold that commerce whitening the sea! Stand by yon gates and see that multitude pour through them from the corners of the earth, grafting the qualities of older stocks upon one stem, mingling the blood of many races in a common stream, and swelling the rich volume of our English speech with varied music from an hundred tongues. You have a long and glorious history, a past glittering with heroic deeds, an ancestry full of lofty and imperishable examples. You have passed through danger, endured privation, been acquainted with sorrow, been tried by suffering. You have journeyed in safety through the wilderness and crossed in triumph the Red Sea of civil strife, and the foot of him who led you hath not faltered, nor the light of his countenance been turned away.

It is a question for us now, not of founding a new government, but of the preservation of one already old; not of the formation of an independent power, but of the purification of a nation's life; not of the conquest of a foreign foe, but of the subjection of ourselves. The capacity of man to rule himself is to be proven in the days to come, not by the greatness of his wealth, nor by his valor in the field; not by the extent of his dominion, nor by the splendor of his genius. The dangers of to-day come from within. The worship of self, the love of power,

the lust for gold, the weakening of faith, the decay of public virtue, the lack of private worth — these are the perils which threaten our future; these are the enemies we have to fear; these are the traitors which infest the camp; and the danger was far less when Cataline knocked with his army at the gates of Rome, than when he sat smiling in the Senate House. We see them daily face to face; in the walk of virtue; in the road to wealth; in the path of honor; on the way to happiness. There is no peace between them and our safety. Nor can we avoid them and turn back. It is not enough to rest upon the past. No man or nation can stand still. We must mount upward or go down. We must grow worse or better. It is the eternal law — we cannot change it. . . .

My countrymen, this anniversary has gone by forever, and my task is done. While I have spoken the hour has passed from us, the hand has moved upon the dial, and the old century is dead. The American Union has endured an hundred years! Here on the threshold of the future the voice of humanity shall not plead to us in vain. There shall be darkness in the days to come; danger for our courage; temptation for our virtue; doubt for our faith; suffering for our fortitude. A thousand shall fall before us, and tens of thousands at our right hand. The years shall pass beneath our feet, and century follow century in quick succession. The generations of men shall come and go; the greatness of yesterday shall be forgotten to-day, and the glories of this noon shall vanish before to-morrow's sun; yet America shall not perish, but endure while the spirit of our fathers animates their sons.

THE PLEA OF THE FUTURE

My Countrymen: —

THE moments are quickly passing, and we stand like some traveler upon a lofty crag that separates two boundless seas. The century that is closing is complete. "The past," said your great statesman, "is secure." It is finished and beyond our reach. The hand of detraction cannot dim its glories, nor the tears of repentance wipe away its stains. Its good and evil, its joy and sorrow, its truth and falsehood, its honor and its shame we cannot touch. Sigh for them, blush for them, weep for them if we will, we cannot change them now. The old century is dying

and they are to be buried with him; his history is finished and they will stand upon its roll forever.

The century that is opening is all our own. The years that are before us are a virgin page. We can inscribe them as we will. The future of our country rests upon us. The happiness of posterity depends on us. The fate of humanity may be in our hands. That pleading voice, choked with the sobs of ages, which has so often spoken to deaf ears, is lifted up to us. It asks us to be brave, benevolent, consistent, true to the teachings of our history, proving "divine descent by worth divine." It asks us to be virtuous, building up public virtue upon private worth; seeking that righteousness that exalteth nations. It asks us to be patriotic, loving our country before all other things; making her happiness our happiness, her honors ours, her fame our own. It asks us in the name of charity, in the name of freedom, in the name of God!

WILLIAM GANNAWAY BROWNLOW

(1805–1877)

THE volcanic passion of the Civil War period found, no doubt, its most nearly adequate verbal expression in the vehement speeches, addresses, letters, and editorials of William G. Brownlow, called "the Fighting Parson" from the aggressiveness of his utterances. He ranks with David Crockett as one of the most remarkable products of his native State, and the future historian will study him with curious interest. He is important to the history, both of politics and of oratory, because of his entire lack of reservation in his utterances. Where others were restrained by the fear of incongruity, or by past habits of self-repression, he voiced without restraint the feelings which on one side and the other expressed themselves in the fierce antagonisms of debate as a prelude to the scarcely fiercer struggles of the battlefield. During the contest which led to the secession of Tennessee,—or rather to its direct rebellion, as it waived in express terms all discussion of the Constitutional "Right of Secession" and revolted in due form,—Parson Brownlow kept a United States flag flying over his house in Knoxville, and, on threats being made to pull it down, issued the following address, which not only illustrates his style, but is of great historical value as an expression of the feeling which resulted in the Civil War:—

It is known to this community and to the people of this county that I have had the Stars and Stripes, in the character of a small flag, floating over my dwelling, in East Knoxville, since February. This flag has become very offensive to certain leaders of the Secession party in this town, and to certain would-be leaders, and the more so as it is about the only one of the kind floating in the city. Squads of troops, from three to twenty, have come over to my house, within the last several days, cursing the flag in front of my house, and threatening to take it down, greatly to the annoyance of my wife and children. No attack has been made upon it, and consequently we have had no difficulty. It is due to the Tennessee troops to say that they have never made any such demonstrations. Other troops from the Southern States, passing on to Virginia, have been induced to do so, by certain cowardly, sneaking, white-livered scoundrels, residing here, who have not the *melt* to undertake what they urge strangers to do. One of the Louisiana squads proclaimed in front of my house, on Thursday, that they were told to take it down by citizens of Knoxville. . . .

If these God-forsaken scoundrels and hell-deserving assassins want satisfaction out of me for what I have said about them,—and it has been no little,—they can find me on these streets every day of my life but Sunday. I am at all times prepared to give them satisfaction. I take back nothing I have ever said against the corrupt and unprincipled villains, but reiterate all, cast it in their dastardly faces, and hurl down their lying throats their own infamous calumnies.

Finally, the destroying of my small flag or of my town property is a small matter. The carrying out of the State upon the mad wave of Secession is also a small matter, compared with the great PRINCIPLE involved. Sink or swim, live or die, survive or perish, I am a Union man, and owe my allegiance to the Stars and Stripes of my country. Nor can I, in any possible contingency, have any respect for the Government of the Confederated States, originating as it did with, and being controlled by, the worst men in the South. And any man saying—whether of high or low degree—that I am an Abolitionist or a Black Republican, is a liar and a scoundrel.

Brownlow was born in Virginia in 1805. He was bred a carpenter but educated himself until he thought himself ready for the ministry. He began preaching as a Methodist circuit-rider in 1826 and about the same time entered politics as a Whig, supporting Adams in 1828. In 1839 he became the editor of the Knoxville (Tennessee) Whig through which he gave vehement expression to his views on the issues of the day—especially on slavery and disunion. He opposed the coercive Abolition of Slavery and with even greater aggressiveness denounced the advocates of secession. As a result, he was arrested after the war began and, after imprisonment in the Knoxville jail, was sent beyond the Confederate lines by order of the Confederate War Department. Returning to the State after it was occupied by the Union forces, he was elected Governor in 1865 and to the United States Senate in 1869. He died in 1877.

East Tennessee was almost as strongly Union in sentiment as the rest of the State was for the Confederacy. Brownlow, like Andrew Johnson and others, represented the East Tennessee Union sentiment, but historically he is of far more importance as a representative of the modes of thought and expression of the pioneer class which produced Houston, Crockett, Lincoln, and so many other remarkable men. With a few such exceptions as Brownlow and Crockett, those who went into public life to represent this class assimilated enough of the habits of culture to become conventional and so, to a great extent, unrepresentative. But Brownlow never did. He speaks the feelings of the men in the ranks in their own language and with their own habits of unreserved expression. In this view of his relations to history, no orator of his times surpasses him in importance.

THE VALUE OF THE AMERICAN UNION

(From the Philadelphia Debate with Rev. Mr. Pryne)

WHO can estimate the value of the American Union? Proud, happy, thrice-happy America! The home of the oppressed, the asylum of the emigrant! where the citizen of every clime, and the child of every creed, roam free and untrammeled as the wild winds of heaven! Baptized at the fount of Liberty in fire and blood, cold must be the heart that thrills not at the name of the American Union!

When the Old World, with "all its pomp, and pride, and circumstance," shall be covered with oblivion,—when thrones shall have crumbled and dynasties shall have been forgotten,—may this glorious Union, despite the mad schemes of Southern fire-eaters and Northern Abolitionists, stand amid regal ruin and national desolation, towering sublime, like the last mountain in the Deluge—majestic, immutable, and magnificent!

In pursuance of this, let every conservative Northern man, who loves his country and her institutions, shake off the trammels of Northern fanaticism, and swear upon the altar of his country that he will stand by her Constitution and laws. Let every Southern man shake off the trammels of disunion and nullification, and pledge his life and his sacred honor to stand by the Constitution of his country as it is, the laws as enacted by Congress and interpreted by the Supreme Court. Then we shall see every heart a shield, and a drawn sword in every hand, to preserve the ark of our political safety! Then we shall see reared a fabric upon our national Constitution which time cannot crumble, persecution shake, fanaticism disturb, nor revolution change, but which shall stand among us like some lofty and stupendous Apennine, while the earth rocks at its feet, and the thunder peals above its head!

GRAPE SHOT AND HEMP

(Delivered at Nashville in 1862)

Gentlemen:—

I AM in a sad plight to say much of interest,—too thoroughly incapacitated to do justice to you or myself. My throat has been disordered for the past three years, and I have been compelled to almost abandon public speaking. Last December

I was thrust into an uncomfortable and disagreeable jail,—for what? *Treason!* Treason to the bogus Confederacy; and the proofs of that treason were articles which appeared in the Knoxville Whig in May last, when the State of Tennessee was a member of the imperishable Union. At the expiration of four weeks I became a victim of the typhoid fever, and was removed to a room in a decent dwelling, and a guard of seven men kept me company. I subsequently became so weak that I could not turn over in my bed, and the guard was increased to twelve men, for fear I should suddenly recover and run away to Kentucky. But I never had any intention to run, and if I had, I was not able to escape. My purpose was to make them send me out of their infamous government, according to contract, or to hang me, if they thought proper. I was promised passports by their Secretary of War, a little Jew, late of New Orleans; and upon the faith of that promise, and upon the invitation of General Crittenden, then in command at Knoxville, I reported myself and demanded my passports. They gave me passports, but they were from my house to the Knoxville jail, and the escort was a deputy marshal of Jeff Davis. But I served my time out, and have been landed here at last, through much tribulation. When I started on this perilous journey, I was sore distressed both in mind and body, being weak from disease and confinement. I expected to meet with insults and indignities at every point from the blackguard portion of the Rebel soldiers and citizens, and in this I was not disappointed. It was fortunate, indeed, that I was not mobbed. This would have been done, but for the vigilance and fidelity of the officers having me in charge. These were Adjutant-General Young and Lieutenant O'Brien, clever men, high-minded, and honorable; and they were of my own selection. They had so long been Union men that I felt assured they had not lost the instincts of gentlemen and patriots, afflicted as they were with the incurable disease of Secession!

But, gentlemen, some three or four days ago I landed in this city, as you are aware. Five miles distant I encountered the Federal pickets. Then it was that I felt like a new man. My depression ceased, and returning life and health seemed suddenly to invigorate my system and to arouse my physical constitution. I had been looking at soldiers in uniform for twelve months, and to me they appeared as hateful as their Confederacy and their

infamous flag. But these Federal pickets, who received me kindly and shook me cordially by the hand, looked like angels of light, compared with the insulting blackguards who had been groaning and cursing around my house.

Why, my friends, these demagogues actually boast that the Lord is upon their side, and declare that God Almighty is assisting them in the furtherance of their nefarious project. In Knoxville and surrounding localities, a short time since, daily prayer-meetings were held, wherein the Almighty was beseeched to raise Lincoln's blockade and to hurl destruction against the Burnside Expedition. Their prayers were partly answered: the blockade at Roanoke Island was most effectually raised!

Gentlemen, I am no Abolitionist; I applaud no sectional doctrines. I am a Southern man, and all my relatives and interests are thoroughly identified with the South and Southern institutions. I was born in the Old Dominion; my parents were born in Virginia, and they and their ancestors were all slave-holders. Let me assure you that the South has suffered no infringement upon her institutions; the Slavery question was actually *no* pretext for this unholy, unrighteous conflict. Twelve Senators from the Cotton States, who had sworn to preserve inviolate the Constitution framed by our forefathers, plotted treason at night,— a fit time for such a crime,— and telegraphed to their States dispatches advising them to pass ordinances of secession. Yes, gentlemen, twelve Senators swore allegiance in the daytime, and unswore it at night.

Soldiers and citizens! Secession is well-nigh played out,— the dog is dead,— and their demoralized army is on its way to the Cotton States, where they can look back at you, as you approach their scattered lines. I have been detained among them for ten days, General Hardee refusing to let me pass. This was only fifty-five miles from here, in the sound Union town of Shelbyville. They were pushing off their bacon and flour and their demoralized men; and I hope you will follow them up. You will overtake them at the Tennessee River,— sooner, if they come up with new supplies of mean whisky.

But, gentlemen, you see that I am growing hoarse in this fierce wind. I am otherwise feeble, not having attempted to make a speech in months. Excuse me, therefore, and join me in this sentiment, should this wicked and unholy war continue,— "Grape for the Rebel masses, and hemp for their leaders!"

WILLIAM J. BRYAN

(1860–)

WHAT is known as "The Cross of Gold" speech, delivered by William J. Bryan in the Chicago convention of 1896, is generally believed to have caused his nomination — which by the general public at least was wholly unexpected. The speech attained immediate and wide celebrity. Perhaps no other single speech ever delivered in the country was read in the first month after its delivery by so many people, or when read was so strongly debated as this. The text here used is that authorized by Mr. Bryan and published in his book, 'The First Battle; a Story of the Campaign of 1896.' It is used by his permission, and in connection with it the following, written by him for 'The First Battle,' will be found of interest: —

"In view of the wide publication of this speech, I may be pardoned for making some reference to it. While a member of the Committee on Resolutions, in the Chicago convention, I was prevented from attending the first sessions of the committee owing to our contest, and was not a member of the sub-committee which drafted the platform. As soon as our contest was settled, I met with the committee and took part in the final discussion and adoption of the platform. Just before the platform was reported to the convention, Senator Jones sent for me and asked me to take charge of the debate. In dividing the time I was to have twenty minutes to close, but as the minority used ten minutes more than the time allotted, my time was extended ten minutes. The concluding sentence of my speech was criticized both favorably and unfavorably. I had used the idea in substantially the same form in a speech in Congress, but did not recall the fact when I used it in the convention. A portion of the speech was extemporaneous, and its arrangement entirely so, but parts of it had been prepared for another occasion. Next to the conclusion, the part most quoted was the definition of the term 'business men.' Since I became interested in the discussion of monetary questions, I have often had occasion to note and comment upon the narrowness of some of the terms used, and nowhere is this narrowness more noticeable than in the attempt to ignore the most important business men of the country, the real creators of wealth."

THE «CROSS OF GOLD»

(Concluding the Debate on the Chicago Platform of 1896)

Mr. Chairman and Gentlemen of the Convention:—

I would be presumptuous, indeed, to present myself against the distinguished gentlemen to whom you have listened if this were a mere measuring of abilities; but this is not a contest between persons. The humblest citizen in all the land, when clad in the armor of a righteous cause, is stronger than all the hosts of error. I come to speak to you in defense of a cause as holy as the cause of liberty—the cause of humanity.

When this debate is concluded, a motion will be made to lay upon the table the resolution offered in commendation of the administration, and also the resolution offered in condemnation of the administration. We object to bringing this question down to the level of persons. The individual is but an atom; he is born, he acts, he dies; but principles are eternal; and this has been a contest over a principle.

Never before in the history of this country has there been witnessed such a contest as that through which we have just passed. Never before in the history of American politics has a great issue been fought out as this issue has been, by the voters of a great party. On the fourth of March, 1895, a few Democrats, most of them Members of Congress, issued an address to the Democrats of the nation, asserting that the money question was the paramount issue of the hour; declaring that a majority of the Democratic party had the right to control the action of the party on this paramount issue; and concluding with the request that the believers in the free coinage of silver in the Democratic party should organize, take charge of, and control the policy of the Democratic party. Three months later, at Memphis, an organization was perfected, and the silver Democrats went forth openly and courageously proclaiming their belief, and declaring that, if successful, they would crystallize into a platform the declaration which they had made. Then began the conflict. With a zeal approaching the zeal which inspired the crusaders who followed Peter the Hermit, our silver Democrats went forth from victory unto victory until they are now assembled, not to discuss, not to debate, but to enter up the judgment already

rendered by the plain people of this country. In this contest brother has been arrayed against brother, father against son. The warmest ties of love, acquaintance, and association have been disregarded; old leaders have been cast aside when they have refused to give expression to the sentiments of those whom they would lead, and new leaders have sprung up to give direction to this cause of truth. Thus has the contest been waged, and we have assembled here under as binding and solemn instructions as were ever imposed upon representatives of the people.

We do not come as individuals. As individuals we might have been glad to compliment the gentleman from New York [Senator Hill], but we know that the people for whom we speak would never be willing to put him in a position where he could thwart the will of the Democratic party. I say it was not a question of persons; it was a question of principle, and it is not with gladness, my friends, that we find ourselves brought into conflict with those who are now arrayed on the other side.

The gentleman who preceded me [ex-Governor Russell] spoke of the State of Massachusetts; let me assure him that not one present in all this convention entertains the least hostility to the people of the State of Massachusetts, but we stand here representing people who are the equals, before the law, of the greatest citizens in the State of Massachusetts. When you [turning to the gold delegates] come before us and tell us that we are about to disturb your business interests, we reply that you have disturbed our business interests by your course.

We say to you that you have made the definition of a business man too limited in its application. The man who is employed for wages is as much a business man as his employer; the attorney in a country town is as much a business man as the corporation counsel in a great metropolis; the merchant at the cross-roads store is as much a business man as the merchant of New York; the farmer who goes forth in the morning and toils all day, who begins in spring and toils all summer, and who by the application of brain and muscle to the natural resources of the country creates wealth, is as much a business man as the man who goes upon the Board of Trade and bets upon the price of grain; the miners who go down a thousand feet into the earth, or climb two thousand feet upon the cliffs, and bring forth from their hiding places the precious metals to be poured into the channels of trade are as much business men as the few financial

magnates who, in a back room, corner the money of the world. We come to speak of this broader class of business men.

Ah, my friends, we say not one word against those who live upon the Atlantic Coast, but the hardy pioneers who have braved all the dangers of the wilderness, who have made the desert to blossom as the rose,—the pioneers away out there [pointing to the West], who rear their children near to Nature's heart, where they can mingle their voices with the voices of the birds,—out there where they have erected schoolhouses for the education of their young, churches where they praise their Creator, and cemeteries where rest the ashes of their dead—these people, we say, are as deserving of the consideration of our party as any people in this country. It is for these that we speak. We do not come as aggressors. Our war is not a war of conquest; we are fighting in the defense of our homes, our families, and posterity. We have petitioned, and our petitions have been scorned; we have entreated, and our entreaties have been disregarded; we have begged, and they have mocked when our calamity came. We beg no longer; we entreat no more; we petition no more. We defy them!

The gentleman from Wisconsin has said that he fears a Robespierre. My friends, in this land of the free you need not fear that a tyrant will spring up from among the people. What we need is an Andrew Jackson to stand, as Jackson stood, against the encroachments of organized wealth.

They tell us that this platform was made to catch votes. We reply to them that changing conditions make new issues; that the principles upon which Democracy rests are as everlasting as the hills, but that they must be applied to new conditions as they arise. Conditions have arisen, and we are here to meet those conditions. They tell us that the income tax ought not to be brought in here; that it is a new idea. They criticize us for our criticism of the Supreme Court of the United States. My friends, we have not criticized; we have simply called attention to what you already know. If you want criticisms, read the dissenting opinions of the court. There you will find criticisms. They say that we passed an unconstitutional law; we deny it. The income tax law was not unconstitutional when it was passed; it was not unconstitutional when it went before the Supreme Court for the first time; it did not become unconstitutional until one of the judges changed his mind, and we cannot be expected to know

when a judge will change his mind. The income tax is just. It simply intends to put the burdens of government justly upon the backs of the people. I am in favor of an income tax. When I find a man who is not willing to bear his share of the burdens of the government which protects him, I find a man who is unworthy to enjoy the blessings of a government like ours.

They say that we are opposing national bank currency; it is true. If you will read what Thomas Benton said, you will find he said that, in searching history, he could find but one parallel to Andrew Jackson; that was Cicero, who destroyed the conspiracy of Cataline and saved Rome. Benton said that Cicero only did for Rome what Jackson did for us when he destroyed the bank conspiracy and saved America. We say in our platform that we believe that the right to coin and issue money is a function of government. We believe it. We believe that it is a part of sovereignty, and can no more with safety be delegated to private individuals than we could afford to delegate to private individuals the power to make penal statutes or levy taxes. Mr. Jefferson, who was once regarded as good Democratic authority, seems to have differed in opinion from the gentleman who has addressed us on the part of the minority. Those who are opposed to this proposition tell us that the issue of paper money is a function of the bank, and that the government ought to go out of the banking business. I stand with Jefferson rather than with them, and tell them, as he did, that the issue of money is a function of government, and that the banks ought to go out of the governing business.

They complain about the plank which declares against life tenure in office. They have tried to strain it to mean that which it does not mean. What we oppose by that plank is the life tenure which is being built up in Washington, and which excludes from participation in official benefits the humbler members of society.

Let me call your attention to two or three important things. The gentleman from New York says that he will propose an amendment to the platform providing that the proposed change in our monetary system shall not affect contracts already made. Let me remind you that there is no intention of affecting those contracts which, according to present laws, are made payable in gold; but if he means to say that we cannot change our monetary system without protecting those who have loaned money

before the change was made, I desire to ask him where, in law or in morals, he can find justification for not protecting the debtors when the act of 1873 was passed, if he now insists that we must protect the creditors.

He says he will also propose an amendment which will provide for the suspension of free coinage if we fail to maintain the parity within a year. We reply that when we advocate a policy which we believe will be successful, we are not compelled to raise a doubt as to our own sincerity by suggesting what we shall do if we fail. I ask him, if he would apply his logic to us, why he does not apply it to himself. He says he wants this country to try to secure an international agreement. Why does he not tell us what he is going to do if he fails to secure an international agreement? There is more reason for him to do that than there is for us to provide against the failure to maintain the parity. Our opponents have tried for twenty years to secure an international agreement, and those are waiting for it most patiently who do not want it at all.

And now, my friends, let me come to the paramount issue. If they ask us why it is that we say more on the money question than we say upon the tariff question, I reply that, if protection has slain its thousands, the gold standard has slain its tens of thousands. If they ask us why we do not embody in our platform all the things that we believe in, we reply that when we have restored the money of the Constitution all other necessary reforms will be possible; but that until this is done there is no other reform that can be accomplished.

Why is it that within three months such a change has come over the country? Three months ago when it was confidently asserted that those who believe in the gold standard would frame our platform and nominate our candidates, even the advocates of the gold standard did not think that we could elect a President. And they had good reason for their doubt, because there is scarcely a State here to-day asking for the gold standard which is not in the absolute control of the Republican party. But note the change. Mr. McKinley was nominated at St. Louis upon a platform which declared for the maintenance of the gold standard until it can be changed into bimetallism by international agreement. Mr. McKinley was the most popular man among the Republicans, and three months ago everybody in the Republican party prophesied his election. How is it to-day? Why, the

man who was once pleased to think that he looked like Napoleon — that man shudders to-day when he remembers that he was nominated on the anniversary of the battle of Waterloo. Not only that, but as he listens he can hear with ever-increasing distinctness the sound of the waves as they beat upon the lonely shores of St. Helena.

Why this change? Ah, my friends, is not the reason for the change evident to any one who will look at the matter? No private character, however pure, no personal popularity, however great, can protect from the avenging wrath of an indignant people a man who will declare that he is in favor of fastening the gold standard upon this country, or who is willing to surrender the right of self-government and place the legislative control of our affairs in the hands of foreign potentates and powers.

We go forth confident that we shall win. Why? Because upon the paramount issue of this campaign there is not a spot of ground upon which the enemy will dare to challenge battle. If they tell us that the gold standard is a good thing, we shall point to their platform and tell them that their platform pledges the party to get rid of the gold standard and substitute bimetallism. If the gold standard is a good thing, why try to get rid of it? I call your attention to the fact that some of the very people who are in this convention to-day and who tell us that we ought to declare in favor of international bimetallism,— thereby declaring that the gold standard is wrong and that the principle of bimetallism is better,— these very people four months ago were open and avowed advocates of the gold standard, and were then telling us that we could not legislate two metals together, even with the aid of all the world. If the gold standard is a good thing, we ought to declare in favor of its retention and not in favor of abandoning it; and if the gold standard is a bad thing why should we wait until other nations are willing to help us to let go? Here is the line of battle, and we care not upon which issue they force the fight; we are prepared to meet them on either issue or on both. If they tell us that the gold standard is the standard of civilization, we reply to them that this, the most enlightened of all the nations of the earth, has never declared for a gold standard and that both the great parties this year are declaring against it. If the gold standard is the standard of civilization, why, my friends, should we not have it? If they come to meet us on that issue we can present the history of our

nation. More than that; we can tell them that they will search the pages of history in vain to find a single instance where the common people of any land have ever declared themselves in favor of the gold standard. They can find where the holders of fixed investments have declared for a gold standard, but not where the masses have.

Mr. Carlisle said in 1878 that this was a struggle between "the idle holders of idle capital" and "the struggling masses, who produce the wealth and pay the taxes of the country"; and, my friends, the question we are to decide is: Upon which side will the Democratic party fight; upon the side of "the idle holders of idle capital" or upon the side of "the struggling masses"? That is the question which the party must answer first, and then it must be answered by each individual hereafter. The sympathies of the Democratic party, as shown by the platform, are on the side of the struggling masses who have ever been the foundation of the Democratic party. There are two ideas of government. There are those who believe that, if you will only legislate to make the well-to-do prosperous, their prosperity will leak through on those below. The Democratic idea, however, has been that if you legislate to make the masses prosperous, their prosperity will find its way up through every class which rests upon them.

You come to us and tell us that the great cities are in favor of the gold standard; we reply that the great cities rest upon our broad and fertile prairies. Burn down your cities and leave our farms, and your cities will spring up again as if by magic; but destroy our farms and the grass will grow in the streets of every city in the country.

My friends, we declare that this nation is able to legislate for its own people on every question, without waiting for the aid or consent of any other nation on earth; and upon that issue we expect to carry every State in the Union. I shall not slander the inhabitants of the fair State of Massachusetts nor the inhabitants of the State of New York by saying that, when they are confronted with the proposition, they will declare that this nation is not able to attend to its own business. It is the issue of 1776 over again. Our ancestors, when but three millions in number, had the courage to declare their political independence of every other nation; shall we, their descendants, when we have grown to seventy millions, declare that we are less independent than

our forefathers? No, my friends, that will never be the verdict of our people. Therefore, we care not upon what lines the battle is fought. If they say bimetallism is good, but that we cannot have it until other nations help us, we reply that, instead of having a gold standard because England has, we will restore bimetallism, and then let England have bimetallism because the United States has it. If they dare to come out in the open field and defend the gold standard as a good thing, we will fight them to the uttermost. Having behind us the producing masses of this nation and the world, supported by the commercial interests, the laboring interests, and the toilers everywhere, we will answer their demand for a gold standard by saying to them: You shall not press down upon the brow of labor this crown of thorns, you shall not crucify mankind upon a cross of gold.

WILLIAM CULLEN BRYANT

(1794–1878)

THE poet Bryant was the favorite after-dinner speaker of New York city for years, not merely because of his reputation as a poet, but because of his genuine eloquence and the importance of the position in politics given him by the editorship of the New York Evening Post. He was at his best when speaking on such topics as the poetry of Burns or the influence of the Press, but he spoke with equal facility on the political issues of the day, and his collected orations make a volume of more literary merit than can be found in most volumes of speeches. He was born in Massachusetts in 1794. Showing extraordinary precocity in writing verse, as he did in developing a love for politics, he was encouraged by his parents, who allowed the publication of one of his metrical productions against the Embargo, written when he was thirteen years old. He had begun writing verse at ten, and his finest poem, 'Thanatopsis,' was produced while he was still in his minority. He became editor of the New York Evening Post in 1827, after a year's work as editorial assistant. This connection was continued during the rest of his life. He gave the paper strong Democratic tendencies, but used it in 1856 in helping to organize the Republican party whose policies during the war it supported. He was a strong advocate of free trade, and made a number of speeches in favor of it. He died in 1878. His address on Burns was delivered at the Burns banquet in New York in 1859, and the text here given is from a contemporaneous report preserved by Mr. Enos Clark.

THE GREATNESS OF BURNS

(Delivered at the Burns Centennial Banquet, New York, 1859)

ON RISING to begin the announcement of the regular toasts for this evening, my first duty is to thank my excellent friends of the Burns Club, with whom I do not now meet for the first time, and whose annual festivities are among the pleasantest I ever attended, for the honor they have done me

in calling me to the chair I occupy,—an honor the more to be prized on account of the rare occasion on which it is bestowed. An honor which can be conferred but once in a century is an honor indeed. This evening the memory of Burns will be celebrated as it never was before. His fame, from the time when he first appeared before the world as a poet, has been growing and brightening as the morning brightens into the perfect day. There never was a time when his merits were so freely acknowledged as now; when the common consent of the literary world placed him so high, or spoke his praises with so little intermixture of disparagement; when the anniversary of his birth could have awakened so general and fervent an enthusiasm. If we could imagine a human being endowed with the power of making himself, through the medium of his senses, a witness of whatever is passing on the face of the globe, what a series of festivities, what successive manifestations of the love and admiration which all who speak our language bear to the great Scottish poet, would present themselves to his observation, accompanying the shadow of this night in its circuit round the earth! Some twelve hours before this time he would have heard the praises of Burns recited and the songs of Burns sung on the banks of the Ganges, the music flowing out at the open windows on the soft evening air of that region, and mingling with the murmurs of the sacred river. A little later, he might have heard the same sounds from the mouth of the Euphrates; later still, from the southern extremity of Africa, under constellations strange to our eyes,—the stars of the Southern Hemisphere,—and almost at the same moment from the rocky shores of the Ionian Isles. Next they would have been heard from the orange groves of Malta, and from the winter colony of English and Americans on the banks of the Tiber. Then, in its turn, the Seine takes up the strain; and what a chorus rises from the British Isles—from every ocean mart, and river, and mountain side, with a distant response from the rock of Gibraltar! Last, in the Old World, on the westernmost verge, the observer whom I have imagined would have heard the voice of song and of gladness from the coasts of Liberia and Sierra Leone, among a race constitutionally and passionately fond of music, and to which we have given our language and literature. In the New World, frozen Newfoundland has already led in the festival of this night; and next, those who dwell where the St. Lawrence holds an icy mirror to the

stars; thence it has passed to the hills and valleys of New England; and it is now our turn, on the lordly Hudson. The Schuylkill will follow, the Potomac, the rivers of the Carolinas; the majestic St. John's, drawing his dark, deep waters from the Everglades; the borders of our mighty lakes; the beautiful Ohio; the great Mississippi, with its fountains gushing under fields of snow, and its mouth among flowers that fear not the frost. Then will our festival, in its westward course, cross the Rocky Mountains, gather in joyous assemblies those who pasture their herds on the Columbia and those who dig for gold on the Sacramento. By a still longer interval it will pass to Australia, lying in her distant solitude of waters, and now glowing with the heats of midsummer, where I fear the zealous countrymen of Burns will find the short night of the season too short for their festivities. And thus will this commemoration pursue the sunset round the globe, and follow the journey of the evening star till that gentle planet shines on the waters of China. Well has our great poet deserved this universal commemoration,—for who has written like him? What poem descriptive of rural manners and virtues, rural life in its simplicity and dignity,—yet without a single false outline or touch of false coloring,—clings to our memories and lives in our bosoms like his 'Cotter's Saturday Night'? What humorous narrative in verse can be compared with his 'Tam O'Shanter'? From the fall of Adam to his time, I believe, there was nothing written in the vein of his 'Mountain Daisy'; others have caught his spirit from that poem, but who among them all has excelled him? Of all the convivial songs I have ever seen in any language, there is none so overflowing with the spirit of conviviality, so joyous, so contagious, as his song of 'Willie Brewed a Peck o' Maut.' What love songs are sweeter and tenderer than those of Burns? What song addresses itself so movingly to our love of old friends and our pleasant recollection of old days as his 'Auld Lang Syne,' or to the domestic affections so powerfully as his 'John Anderson'? You heard yesterday, my friends, and will hear again to-day, better things said of the genius of Burns than I can say. That will be your gain and mine. But there is one observation which, if I have not already tried your patience too far, I would ask your leave to make. If Burns was thus great among poets, it was not because he stood higher than they by any pre-eminence of a creative and fertile imagination. Original, affluent, and active

his imagination certainly was, and it was always kept under the guidance of a masculine and vigorous understanding; but it is the feeling which lives in his poems that gives them their supreme mastery over the minds of men. Burns was thus great, because, whatever may have been the errors of his after life, when he came from the hand that formed him,—I say it with the profoundest reverence,—God breathed into him, in larger measure than into other men, the spirit of that love which constitutes his own essence, and made him more than other men—a living soul. Burns was great by the greatness of his sympathies,—sympathies acute and delicate, yet large, comprehensive, boundless. They were warmest and strongest toward those of his own kin, yet they overflowed upon all sentient beings,—upon the animals in his stall; upon the 'wee, sleekit, cowerin,' tim'rous beastie' dislodged from her autumnal covert; upon the hare wounded by the sportsman; upon the very field flower, overturned by his share and crushed among the stubble. And in all this we feel that there is nothing strained or exaggerated, nothing affected or put on, nothing childish or silly, but that all is true, genuine, manly, noble; we honor, we venerate the poet while we read; we take the expression of these sympathies to our hearts, and fold it in our memory forever.

JAMES BUCHANAN

(1791-1868)

THE fact that the long sectional quarrel over slavery culminated during the administration of President Buchanan has almost completely obscured the intimate connection of his administration with an industrial and commercial revolution which is already showing itself greater in potentiality, if not in actual results, than the Civil War itself.

In his Inaugural Address President Buchanan defined the policy which resulted in the Pacific Railroad and the enormous development of the trans-Mississippi West. If, reading his Inaugural Address in this later time, we are more impressed by the ingenuity which enables him to reconcile this policy with his views as a strict Constructionist, than we are by the eloquence of his expression, or the method of his argument, we will not forget on that account how enormous were the forces he helped to set in motion, nor will we fail to be impressed with the operation of that great power of conservation of energy in society which at the beginning of a most destructive civil war had already prepared in embryo the growth of a then unimaginable system, through whose constructive development the destructive effects of civil war were to be compensated.

In view of the beginning of railroad development to the Pacific coast, and of the Atlantic cable to Europe, Buchanan's administration is, altogether aside from its bearing on the Civil War, one of the most revolutionary periods of our history. It would be idle to attempt to guess how much of this future President Buchanan may have had in view, when in his Inaugural Address he expressed his "humble confidence that the kind Providence which inspired our fathers with wisdom to frame the most perfect form of government and union ever devised by man will not suffer it to perish until it shall have been peacefully instrumental, by its example, in the extension of civil and religious liberty throughout the world."

But, however little it may have then been possible to foresee the industrial development of the last quarter of the nineteenth century, it is certain enough already that the twentieth century will study the Buchanan administration for something more important than the mere politics of Sectionalism. The mistakes on one side and the other, resulting from that Sectionalism, are apparent enough now, and perhaps

they are nowhere more apparent than in Mr. Buchanan's statement of what he conceived to be the results of diplomacy and attempts at compromise. When compromise fails, it can never assert an allowable claim to respectability. Except to the historian and the antiquary, Mr. Buchanan's utterances, as one of the diplomats and compromisers of a period of storm and stress, will not hereafter seem important; but it is true, nevertheless, that to understand the present of the United States, as it involves the future and the past, it is necessary to study such utterances as Buchanan's Inaugural Address until their connection with the forces of development inherent in the country makes them eloquent with presages of its progress.

Mr. Buchanan was born near Mercersburg, Pennsylvania, April 23d, 1791, from a Scotch-Irish family in moderate circumstances. Educated for the law, he entered politics as a Federalist at an early age, and from October 1814, when he was elected to the legislature of Pennsylvania, until March 4th, 1861, when he retired from the presidency, he was in office almost continuously. He served ten years in the House of Representatives, and, becoming a warm personal friend and supporter of President Jackson, lost altogether his early affiliations with Federalism, and became a strict Constructionist. President Jackson appointed him minister to Russia. Returning in 1834 he was elected to the United States Senate, where he served until the administration of President Polk, in whose cabinet he was Secretary of State. Retired temporarily from public life by the Whig victory which followed the Mexican War, he was an unsuccessful candidate for the presidency before the Democratic national convention of 1852. President Pierce appointed him minister to England, and, returning in 1855, he was nominated and elected to the presidency by the Democrats. After his retirement he took no part in public affairs, and preserved an almost unbroken silence concerning them. He died June 1st, 1868, at his home, Wheatland, near Lancaster, Pennsylvania.

INAUGURAL ADDRESS

Fellow-Citizens: —

I APPEAR before you this day to take the solemn oath "that I will faithfully execute the office of President of the United States and will to the best of my ability preserve, protect, and defend the Constitution of the United States."

In entering upon this great office I must humbly invoke the God of our fathers for wisdom and firmness to execute its high and responsible duties in such a manner as to restore harmony

and ancient friendship among the people of the several States, and to preserve our free institutions throughout many generations. Convinced that I owe my election to the inherent love for the Constitution and the Union which still animates the hearts of the American people, let me earnestly ask their powerful support in sustaining all just measures calculated to perpetuate these, the richest political blessings which heaven has ever bestowed upon any nation. Having determined not to become a candidate for re-election, I shall have no motive to influence my conduct in administering the government, except the desire ably and faithfully to serve my country and to live in the grateful memory of my countrymen.

We have recently passed through a presidential contest in which the passions of our fellow-citizens were excited to the highest degree by questions of deep and vital importance; but when the people proclaimed their will the tempest at once subsided and all was calm.

The voice of the majority, speaking in the manner prescribed by the Constitution, was heard, and instant submission followed. Our own country could alone have exhibited so grand and striking a spectacle of the capacity of man for self-government.

What a happy conception, then, was it for Congress to apply this simple rule, that the will of the majority shall govern, to the settlement of the question of domestic slavery in the Territories! Congress is neither "to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

As a natural consequence, Congress has also prescribed that when the Territory of Kansas shall be admitted as a State it "shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission."

A difference of opinion has arisen in regard to the point of time when the people of a Territory shall decide this question for themselves.

This is, happily, a matter of but little practical importance. Besides, it is a judicial question, which legitimately belongs to the Supreme Court of the United States, before whom it is now pending, and will, it is understood, be speedily and finally settled. To their decision, in common with all good citizens, I shall

cheerfully submit, whatever this may be, though it has ever been my individual opinion that under the Nebraska-Kansas act the appropriate period will be when the number of actual residents in the Territory shall justify the formation of a constitution with a view to its admission as a State into the Union. But be this as it may, it is the imperative and indispensable duty of the Government of the United States to secure to every resident inhabitant the free and independent expression of his opinion by his vote. This sacred right of each individual must be preserved. That being accomplished, nothing can be fairer than to leave the people of a Territory free from all foreign interference, to decide their own destiny for themselves, subject only to the Constitution of the United States.

The whole Territorial question being settled upon the principle of popular sovereignty,—a principle as ancient as free government itself,—everything of a practical nature has been decided. No other question remains for adjustment, because all agree that under the Constitution slavery in the States is beyond any human power except that of the respective States themselves wherein it exists. May we not, then, hope that the long agitation on this subject is approaching its end, and that the geographical parties to which it has given birth, so much dreaded by the Father of his Country, will speedily become extinct? Most happy will it be for the country when the public mind shall be diverted from this question to others of more pressing and practical importance. Throughout the whole progress of this agitation, which has scarcely known any intermission for more than twenty years, while it has been productive of no positive good to any human being, it has been the prolific source of great evils to the master, to the slave, and to the whole country. It has alienated and estranged the people of the sister States from each other, and has even seriously endangered the very existence of the Union. Nor has the danger yet entirely ceased. Under our system there is a remedy for all mere political evils in the sound sense and sober judgment of the people. Time is a great corrective. Political subjects which but a few years ago excited and exasperated the public mind have passed away and are now entirely forgotten. But this question of domestic slavery is of far graver importance than any mere political question, because should the agitation continue it may eventually endanger the personal safety of a large portion of our countrymen where the institution exists. In

that event no form of government, however admirable in itself, and however productive of material benefits, can compensate for the loss of peace and domestic security around the family altar. Let every Union-loving man, therefore, exert his best influence to suppress this agitation, which, since the recent legislation of Congress, is without any legitimate object.

It is an evil omen of the times that men have undertaken to calculate the mere material value of the Union. Reasoned estimates have been presented of the pecuniary profits and local advantages which would result to the different States and sections from its dissolution and of the comparative injuries which such an event would inflict on other States and sections. Even descending to this low and narrow view of the mighty question, all such calculations are at fault. The bare reference to a single consideration will be conclusive on this point. We at present enjoy a free trade throughout our extensive and expanding country such as the world has never witnessed. This trade is conducted on railroads and canals, on noble rivers and arms of the sea, which bind together the North and South, the East and West, of our Confederacy. Annihilate this trade, arrest its free progress by the geographical lines of jealous and hostile States, and you destroy the prosperity and onward march of the whole and every part, and involve all in a common ruin. But such considerations, important as they are in themselves, sink into insignificance when we reflect upon the terrific evils which would result from disunion to every portion of the Confederacy,—to the North not more than to the South, to the East not more than to the West. These I shall not attempt to portray, because I feel a humble confidence that the kind Providence which inspired our fathers with wisdom to frame the most perfect form of government and union ever devised by man will not suffer it to perish until it shall have been peacefully instrumental by its example in the extension of civil and religious liberty throughout the world.

Next in importance to the maintenance of the Constitution and the Union is the duty of preserving the government free from the taint or even the suspicion of corruption. Public virtue is the vital spirit of republics, and history proves that when this has decayed and the love of money has usurped its place, although the forms of free government may remain for a season, the substance has departed forever.

Our present financial condition is without parallel in history. No nation has ever before been embarrassed from too large a surplus in its Treasury. This almost necessarily gives birth to extravagant legislation. It produces wild schemes of expenditure, and begets a race of speculators and jobbers, whose ingenuity is exerted in contriving and promoting expedients to obtain public money. The purity of official agents, whether rightfully or wrongfully, is suspected, and the character of the government suffers in the estimation of the people. This is in itself a very great evil.

The natural mode of relief from this embarrassment is to appropriate the surplus in the Treasury to great national objects for which a clear warrant can be found in the Constitution. Among these I might mention the extinguishment of the public debt, a reasonable increase of the navy, which is at present inadequate to the protection of our vast tonnage afloat, now greater than any other nation, as well as the defense of our extended seacoast.

It is beyond all question the true principle that no more revenue ought to be collected from the people than the amount necessary to defray the expense of a wise, economical, and efficient administration of the government. To reach this point it was necessary to resort to a modification of the tariff, and this has, I trust, been accomplished in such a manner as to do as little injury as may have been practicable to our domestic manufactures, especially those necessary for the defense of the country. Any discrimination against a particular branch for the purpose of benefiting favored corporations, individuals, or interests, would have been unjust to the rest of the community and inconsistent with that spirit of fairness and equality which ought to govern in the adjustment of a revenue tariff.

But the squandering of the public money sinks into comparative insignificance as a temptation to corruption when compared with the squandering of the public lands.

No nation in the tide of time has ever been blessed with so rich and noble an inheritance as we enjoy in the public lands. In administering this important trust, while it may be wise to grant portions of them for the improvement of the remainder, yet we should never forget that it is our cardinal policy to reserve these lands, as much as may be, for actual settlers, and this at moderate prices. We shall thus not only best promote the prosperity of the new States and Territories, by furnishing

them a hardy and independent race of honest and industrious citizens, but shall secure homes for our children and our children's children, as well as for those exiles from foreign shores who may seek in this country to improve their condition and to enjoy the blessings of civil and religious liberty. Such immigrants have done much to promote the growth and prosperity of the country. They have proved faithful both in peace and in war. After becoming citizens they are entitled, under the Constitution and laws, to be placed on a perfect equality with native-born citizens, and in this character they should ever be kindly recognized.

The Federal Constitution is a grant from the States to Congress of certain specific powers, and the question whether this grant should be liberally or strictly construed has more or less divided political parties from the beginning. Without entering into the argument, I desire to state at the commencement of my administration that long experience and observation have convinced me that a strict construction of the powers of the government is the only true, as well as the only safe, theory of the Constitution. Whenever in our past history doubtful powers have been exercised by Congress, these have never failed to produce injurious and unhappy consequences. Many such instances might be adduced if this were the proper occasion. Neither is it necessary for the public service to strain the language of the Constitution, because all the great and useful powers required for a successful administration of the government, both in peace and in war, have been granted, either in express terms or by the plainest implication.

While deeply convinced of these truths, I yet consider it clear that under the war-making power Congress may appropriate money toward the construction of a military road when this is absolutely necessary for the defense of any State or Territory of the Union against foreign invasion. Under the Constitution Congress has power "to declare war," "to raise and support armies," "to provide and maintain a navy," and to call forth the militia to "repel invasions." Thus endowed, in an ample manner, with the war-making power, the corresponding duty is required that "the United States shall protect each of them [the States] against invasion." Now, how is it possible to afford this protection to California and our Pacific possessions, except by means of a military road through the Territories of the United States, over

which men and munitions of war may be speedily transported from the Atlantic States to meet and to repel the invader? In the event of a war with a naval power much stronger than our own, we should then have no other available access to the Pacific coast, because such a power would instantly close the route across the isthmus of Central America. It is impossible to conceive that while the Constitution has expressly required Congress to defend all the States, it should yet deny to them, by any fair construction, the only possible means by which one of these States can be defended. Besides, the government, ever since its origin, has been in the constant practice of constructing military roads. It might also be wise to consider whether the love for the Union which now animates our fellow-citizens on the Pacific coast may not be impaired by our neglect or refusal to provide for them, in their remote and isolated condition, the only means by which the power of the States on this side of the Rocky Mountains can reach them in sufficient time to "protect" them "against invasion." I forbear for the present from expressing an opinion as to the wisest and most economical mode in which the government can lend its aid in accomplishing this great and necessary work. I believe that many of the difficulties in the way, which now appear formidable, will in a great degree vanish as soon as the nearest and best route shall have been satisfactorily ascertained.

It may be proper that on this occasion I should make some brief remarks in regard to our rights and duties as a member of the great family of nations. In our intercourse with them there are some plain principles, approved by our own experience, from which we should never depart. We ought to cultivate peace, commerce, and friendship with all nations, and this not merely as the best means of promoting our own material interests, but in a spirit of Christian benevolence toward our fellow-men, wherever their lot may be cast. Our diplomacy should be direct and frank, neither seeking to obtain more nor accepting less than is due. We ought to cherish a sacred regard for the independence of all nations, and never attempt to interfere in the domestic concerns of any unless this shall be imperatively required by the great law of self-preservation. To avoid entangling alliances has been a maxim of our policy ever since the days of Washington, and its wisdom no one will attempt to dispute. In short, we

ought to do justice in a kindly spirit to all nations, and require justice from them in return.

It is our glory that while other nations have extended their dominions by the sword, we have never acquired any territory except by fair purchase or, in the case of Texas, by the voluntary determination of a brave, kindred, and independent people to blend their destinies with our own. Even our acquisitions from Mexico form no exception. Unwilling to take advantage of the fortune of war against a sister republic, we purchased these possessions under the treaty of peace for a sum which was considered at the time a fair equivalent. Our past history forbids that we shall in the future acquire territory unless this be sanctioned by the laws of justice and honor. Acting on this principle, no nation will have a right to interfere or to complain if, in the progress of events, we shall still further extend our possessions. Hitherto in all our acquisitions the people, under the protection of the American flag, have enjoyed civil and religious liberty as well as equal and just laws, and have been contented, prosperous, and happy. Their trade with the rest of the world has rapidly increased, and thus every commercial nation has shared largely in their successful progress.

I shall now proceed to take the oath prescribed by the Constitution, while humbly invoking the blessing of Divine Providence on this great people.

March 4th, 1857.

JOHN BUNYAN

(1628–1688)

REMEMBERED, and, while the English language lasts, always to be remembered, as the author of 'Pilgrim's Progress,' John Bunyan is almost forgotten as the inspired orator whose voice so swayed the English Commons away from the "established order" of the State religion that he was locked up for more than twelve years in Bedford jail.

To understand the power wielded by such a speaker as Bunyan it is necessary to forget dissent from his opinions and to enter with him into the spirit of his theme. Those who do this, either to understand his unconscious art,—and he was a great if an untrained artist,—or for the nobler purpose of understanding both the man and his message, will be richly rewarded. Most of the great English orators, whether of the forum or the pulpit, are Roman in their habit of expression. Bunyan is eminently English. He speaks the language of Alfred the Great,—a language of short sentences, compact, earnest, decisive. The orator, trained in the school of Cicero, may expand a single idea from sentence to sentence, from period to period; but if he is speaking the English of Alfred with the syntax of Bunyan, he must put an idea into every clause. "I will assure you," says Bunyan, "the devil is nimble, he can run apace; he is light of foot; he hath overtaken many; he hath turned up their heels and given them an everlasting fall." Here, in thirty words, we are compelled to witness every stage of what in the mind of Bunyan was the infinite tragedy of the attempted escape of a soul from hell; of the pursuit by the fiend; the loss of ground by the panting fugitive; and finally the very movement of his body as his feet are tripped from under him and he falls,—an everlasting fall. Dante could not have bettered that sentence. Not once, but continually, Bunyan shows this same mastery of English, compelling the unwilling language to accept and bear the burden of his cumulative ideas. "I have married a wife; I have a farm; I shall offend my landlord; I shall offend my master; I shall lose my trading; I shall lose my pride; I shall be mocked and scoffed at: therefore I dare not come!" It is thus that he crowds on the mind the excuses of those he was calling to better their lives—groaning in himself that they would not because each one

had "his vile sins, his bosom sins, his beloved, pleasant, darling sins that stick as close to him as the flesh sticks to the bones."

Perhaps it is fortunate that no one can have such a control of English who has not with it the earnestness which gave this tinker speaking before street crowds a greater power than Bourdaloue ever had speaking before princes. In oratory as in poetry, the first canon of art is that every idea which comes from the intellect of the speaker must rise through his heart to his lips if it is to reach the hearts of others. Always Bunyan spoke from the heart. He is the prose Dante of England. W. V. B.

THE HEAVENLY FOOTMAN

"So run that ye may obtain."—1 Cor. ix. 24

HEAVEN and happiness is that which everyone desireth, insomuch that wicked Balaam could say: "Let me die the death of the righteous, and let my last end be like his." Yet, for all this, there are but very few that do obtain that ever-to-be-desired glory, insomuch that many eminent professors drop short of a welcome from God into this pleasant place. The Apostle, therefore, because he did desire the salvation of the souls of the Corinthians, to whom he writes this epistle, layeth them down in these words such counsel which, if taken, would be for their help and advantage.

Firstly, not to be wicked, and sit still, and wish for heaven; but to run for it.

Secondly, not to content themselves with every kind of running, but, saith he, "So run that ye may obtain." As if he should say, some, because they would not lose their souls, they begin to run betimes, they run apace, they run with patience, they run the right way. Do you so run. Some run from both father and mother, friends and companions, and thus, that they may have the crown. Do you so run. Some run through temptations, afflictions, good report, evil report, that they may win the pearl. Do you so run. "So run that ye may obtain."

These words they are taken from men's running for a wager: a very apt similitude to set before the eyes of the saints of the Lord. "Know you not that they which run in a race run all,

but one obtains the prize? So run that ye may obtain." That is, do not only run, but be sure you win as well as run. "So run that ye may obtain."

I shall not need to make any great ado in opening the words at this time, but shall rather lay down one doctrine that I do find in them; and in prosecuting that, I shall show you, in some measure, the scope of the words.

The doctrine is this: They that will have heaven must run for it; I say, they that will have heaven, they must run for it. I beseech you to heed it well. "Know ye not that they which run in a race run all, but one obtaineth the prize? So run ye." The prize is heaven, and if you will have it you must run for it. You have another Scripture for this in the twelfth of the Hebrews, the first, second, and third verses: "Wherefore seeing also," saith the Apostle, "that we are compassed about with so great a cloud of witnesses, let us lay aside every weight, and the sin which doth so easily beset us, and let us run with patience the race that is set before us." And let us run, saith he.

Again, saith Paul, "I so run, not as uncertainly: so fight I," etc.

But before I go any further: —

1. Fleeing. Observe, that this running is not an ordinary, or any sort of running, but it is to be understood of the swiftest sort of running; and, therefore, in the sixth of the Hebrews, it is called a fleeing: "That we might have strong consolation, who have fled for refuge, to lay hold on the hope set before us." Mark, who have fled. It is taken from that twentieth of Joshua, concerning the man that was to flee to the city of refuge, when the avenger of blood was hard at his heels, to take vengeance on him for the offense he had committed; therefore it is a running or fleeing for one's life: A running with all might and main, as we used to say. So run.

2. Pressing. Secondly, this running in another place is called a pressing. "I press toward the mark"; which signifieth that they that will have heaven, they must not stick at any difficulties they meet with; but press, crowd, and thrust through all that may stand between heaven and their souls. So run.

3. Continuing. Thirdly, this running is called in another place, a continuing in the way of life. "If you continue in the faith grounded, and settled, and be not moved away from the hope of the Gospel of Christ." Not to run a little now and

then, by fits and starts, or halfway, or almost thither, but to run for my life, to run through all difficulties, and to continue therein to the end of the race, which must be to the end of my life. "So run that ye may obtain." And the reasons for this point are these:—

1. Because all or every one that runneth doth not obtain the prize; there may be many that do run, yea, and run far too, who yet miss of the crown that standeth at the end of the race. You know that all that run in a race do not obtain the victory; they all run, but one wins. And so it is here; it is not every one that runneth, nor every one that seeketh, nor every one that striveth for the mastery, that hath it. "Though a man do strive for the mastery," saith Paul, "yet he is not crowned, unless he strive lawfully"; that is, unless he so run, and so strive, as to have God's approbation. What, do ye think that every heavy-heeled professor will have heaven? What, every lazy one? every wanton and foolish professor, that will be stopped by anything, kept back by anything, that scarce runneth so fast heavenward as a snail creepeth on the ground? Nay, there are some professors that do not go on so fast in the way of God as a snail doth go on the wall, and yet these think that heaven and happiness are for them. But stay, there are many more that run than there be that obtain; therefore he that will have heaven must run for it.

2. Because you know, that though a man do run, yet if he do not overcome, or win, as well as run, what will they be the better for their running? They will get nothing. You know the man that runneth, he doth do it that he may win the prize; but if he doth not obtain it, he doth lose his labor, spend his pains and time, and that to no purpose; I say, he getteth nothing. And ah! how many such runners will there be found in the day of judgment? Even multitudes, multitudes that have run, yea, run so far as to come to heaven-gates, and not able to get any further, but there stand knocking, when it is too late, crying, Lord, Lord, when they have nothing but rebukes for their pains. Depart from me, you come not here, you come too late, you run too lazily; the door is shut. "When once the master of the house is risen up," saith Christ, "and hath shut to the door, and ye begin to stand without, and to knock, saying, Lord, Lord, open to us, I will say, I know you not, Depart!" O sad will the state of those be that run and miss; therefore, if you

will have heaven, you must run for it; and "so run that ye may obtain."

3. Because the way is long (I speak metaphorically), and there is many a dirty step, many a high hill, much work to do, a wicked heart, world, and devil to overcome; I say, there are many steps to be taken by those that intend to be saved, by running or walking in the steps of that faith of our father Abraham. Out of Egypt thou must go through the Red Sea; thou must run a long and tedious journey, through the vast howling wilderness, before thou come to the land of promise.

4. They that will go to heaven they must run for it; because, as the way is long, so the time in which they are to get to the end of it is very uncertain; the time present is the only time; thou hast no more time allotted thee than that thou now enjoyest: "Boast not thyself of to-morrow, for thou knowest not what a day may bring forth." Do not say, I have time enough to get to heaven seven years hence, for, I tell thee, the bell may toll for thee before seven days more be ended; and when death comes, away thou must go, whether thou art provided or not; and therefore look to it; make no delays; it is not good dallying with things of so great concernment as the salvation or damnation of thy soul. You know he that hath a great way to go in a little time, and less by half than he thinks of, he had need to run for it.

5. They that will have heaven, they must run for it; because the devil, the law, sin, death, and hell follow them. There is never a poor soul that is going to heaven, but the devil, the law, sin, death, and hell make after that soul. "The devil, your adversary, as a roaring lion, goeth about, seeking whom he may devour." And I will assure you, the devil is nimble, he can run apace, he is light of foot, he hath overtaken many, he hath turned up their heels, and hath given them an everlasting fall. Also the law, that can shoot a great way, have a care thou keep out of the reach of those great guns, the Ten Commandments. Hell also hath a wide mouth; it can stretch itself further than you are aware of. And as the angel said to Lot: "Take heed, look not behind thee, neither tarry thou in all the plain" (that is, anywhere between this and heaven), "lest thou be consumed"; so say I to thee, Take heed, tarry not, lest either the devil, hell, death, or the fearful curses of the law of God, do overtake thee, and throw thee down in the midst of thy sins, so as never

to rise and recover again. If this were well considered, then thou, as well as I, wouldst say, They that will have heaven must run for it.

6. They that will go to heaven must run for it; because perchance the gates of heaven may be shut shortly. Sometimes sinners have not heaven-gates open to them so long as they suppose; and if they be once shut against a man, they are so heavy, that all the men in the world, nor all the angels in heaven, are not able to open them. "I shut, and no man can open," saith Christ. And how if thou shouldst come but one quarter of an hour too late? I tell thee, it will cost thee an eternity to bewail thy misery in. Francis Spira can tell thee what it is to stay till the gate of mercy be quite shut; or to run so lazily, that they be shut before thou get within them. What, to be shut out! what, out of heaven! Sinner, rather than lose it, run for it; yea, and "so run that thou mayest obtain."

7. Lastly, because if thou lose, thou losest all, thou losest soul, God, Christ, heaven, ease, peace! Besides, thou layest thyself open to all the shame, contempt, and reproach, that either God, Christ, saints, the world, sin, the devil, and all, can lay upon thee. As Christ saith of the foolish builder, so will I say of thee, if thou be such a one who runs and misses; I say, even all that go by will begin to mock at thee, saying, This man began to run well, but was not able to finish. . . .

In the next place, be not daunted though thou meetest with never so many discouragements in thy journey thither. That man that is resolved for heaven, if Satan cannot win him by flatteries, he will endeavor to weaken him by discouragements, saying: "Thou art a sinner, thou hast broken God's law, thou art not elected, thou comest too late, the day of grace is passed, God doth not care for thee, thy heart is naught, thou art lazy," with a hundred other discouraging suggestions. And thus it was with David, where he saith: "I had fainted, unless I had believed to see the loving-kindness of the Lord in the land of the living." As if he should say, the devil did so rage, and my heart was so base, that had I judged according to my own sense and feeling, I had been absolutely distracted; but I trusted to Christ in the promise, and looked that God would be as good as his promise, in having mercy upon me, an unworthy sinner; and this is that which encouraged me and kept me from fainting. And thus must thou do when Satan, or the law, or thy own conscience, do

go about to dishearten thee, either by the greatness of thy sins, the wickedness of thy heart, the tediousness of the way, the loss of outward enjoyments, the hatred that thou wilt procure from the world, or the like; then thou must encourage thyself with the freeness of the promises, the tender-heartedness of Christ, the merits of his blood, the freeness of his invitations to come in, the greatness of the sin of others that have been pardoned, and that the same God, through the same Christ, holdeth forth the same grace as free as ever. If these be not thy meditations, thou wilt draw very heavily in the way to heaven, if thou do not give up all for lost, and so knock off from following any further; therefore, I say, take heart in thy journey, and say to them that seek thy destruction: "Rejoice not against me, O my enemy, for when I fall I shall arise, when I sit in darkness the Lord shall be a light unto me." So run.

Take heed of being offended at the cross that thou must go by before thou come to heaven. You must understand (as I have already touched) that there is no man that goeth to heaven but he must go by the cross. The cross is the standing way-mark by which all they that go to glory must pass.

"We must through much tribulation enter into the kingdom of heaven." "Yea, and all that will live godly in Christ Jesus shall suffer persecution." If thou art in thy way to the kingdom, my life for thine thou wilt come at the cross shortly (the Lord grant thou dost not shrink at it, so as to turn thee back again). "If any man will come after me," saith Christ, "let him deny himself, and take up his cross daily, and follow me." The cross it stands, and hath stood, from the beginning, as a way-mark to the kingdom of heaven. You know, if one ask you the way to such and such a place, you, for the better direction, do not only say, "This is the way," but then also say, "You must go by such a gate, by such a stile, such a bush, tree, bridge," or such like; why, so it is here; art thou inquiring the way to heaven? Why, I tell thee, Christ is the way; into him thou must get — into his righteousness — to be justified; and if thou art in him, thou wilt presently see the cross; thou must go close by it, thou must touch it, — nay, thou must take it up, or else thou wilt quickly go out of the way that leads to heaven, and turn up some of those crooked lanes that lead down to the chambers of death.

Now thou mayest know the cross by these six things: —

1. It is known in the doctrine of justification.

2. In the doctrine of mortification.
3. In the doctrine of perseverance.
4. In self-denial.
5. Patience.
6. Communion with poor saints.

1. In the doctrine of justification, there is a great deal of the cross in that a man is forced to suffer the destruction of his own righteousness for the righteousness of another. This is no easy matter for a man to do; I assure to you it stretcheth every vein in his heart, before he will be brought to yield to it. What, for a man to deny, reject, abhor, and throw away all his prayers, tears, alms, keeping of Sabbaths, hearing, reading, with the rest, in the point of justification, and to count them accursed; and to be willing, in the very midst of the sense of his sins, to throw himself wholly upon the righteousness and obedience of another man, abhorring his own, counting it as deadly sin, as the open breach of the law,—I say, to do this in deed and in truth is the biggest piece of the cross; and, therefore, Paul calleth this very thing a suffering, where he saith: "And I have suffered the loss of all things (which principally was his righteousness) that I might win Christ, and be found in him, not having (but rejecting) my own righteousness." That is the first.

2. In the doctrine of mortification is also much of the cross. Is it nothing for a man to lay hands on his vile opinions, on his vile sins, on his bosom sins, on his beloved, pleasant, darling sins, that stick as close to him as the flesh sticks to the bones? What, to lose all these brave things that my eyes behold, for that which I never saw with my eyes? What, to lose my pride, my covetousness, my vain company, sports and pleasures, and the rest? I tell you, this is no easy matter: if it were, what need all those prayers, sighs, watchings? What need we be so backward to it? Nay, do you not see that some men, before they will set about this work, they will even venture the loss of their souls, heaven, God, Christ, and all? What means else all those delays and put-offs, saying, "Stay a little longer, I am loth to leave my sins while I am so young, and in health"? Again, what is the reason else that others do it so by the halves, coldly and seldom, notwithstanding they are convinced over and over; nay, and also promise to amend, and yet all's in vain? I will assure you, to cut off right hands, and to pluck out right eyes, is no pleasure to the flesh.

3. The doctrine of perseverance is also cross to the flesh; which is not only to begin but to hold out, not only to bid fair, and to say: "Would I had heaven," but so to know Christ, put on Christ, and walk with Christ, so as to come to heaven. Indeed, it is no great matter to begin to look for heaven, to begin to seek the Lord, to begin to shun sin; O but it is a very great matter to continue with God's approbation: "My servant Caleb," saith God, "is a man of another spirit, he hath followed me (followed me always, he hath continually followed me) fully, he shall possess the land." Almost all the many thousands of the children of Israel in their generation fell short of perseverance when they walked from Egypt towards the land of Canaan. Indeed, they went to work at first pretty willingly, but they were very short-winded, they were quickly out of breath, and in their hearts they turned back again into Egypt.

It is an easy matter for a man to run hard for a spurt, for a furlong, for a mile or two: O, but to hold out for a hundred, for a thousand, for ten thousand miles, that man that doth this, he must look to meet with cross, pain, and wearisomeness to the flesh, especially if, as he goeth, he meeteth with briars and quagmires, and other incumbrances, that make his journey so much the more painful.

Nay, do you not see with your eyes daily, that perseverance is a very great part of the cross? Why else do men so soon grow weary? I could point out a many, that after they have followed the ways of God about a twelvemonth, others it may be two, three, or four (some more, and some less) years, they have been beat out of wind, have taken up their lodging and rest before they have gotten half-way to heaven, some in this, some in that sin, and have secretly, nay, sometimes openly, said that the way is too straight, the race too long, the religion too holy,—I cannot hold out, I can go no further.

And so likewise of the other three, to-wit: patience, self-denial, communion, and communication with and to the poor saints: How hard are these things? It is an easy matter to deny another man, but it is not so easy a matter to deny one's self; to deny myself out of love to God, to his Gospel, to his saints, of this advantage, and of that gain; nay, of that which otherwise I might lawfully do, were it not for offending them. That Scripture is but seldom read, and seldomer put in practice, which saith, "I will eat no flesh while the world standeth, if it make my brother to

offend"; again, "We that are strong ought to bear the infirmities of the weak, and not to please ourselves." But how froward, how hasty, how peevish, and self-resolved are the generality of professors at this day! Also how little considering the poor, unless it be to say, "Be thou warmed and filled!" But to give is a seldom work; also especially to give to any poor. I tell you all things are cross to flesh and blood; and that man that hath but a watchful eye over the flesh, and also some considerable measure of strength against it, he shall find his heart in these things like unto a starting horse, that is rode without a curbing bridle, ready to start at everything that is offensive to him — yea, and ready to run away, too, do what the rider can.

It is the cross which keepeth those that are kept from heaven. I am persuaded, were it not for the cross, where we have one professor we should have twenty; but this cross, that is it which spoileth all.

Some men, as I said before, when they come at the cross they can go no further, but back again to their sins they must go. Others they stumble at it, and break their necks; others again, when they see the cross is approaching, they turn aside to the left hand, or to the right hand, and so think to get to heaven another way; but they will be deceived. "For all that will live godly in Christ Jesus shall," mark, "shall be sure to suffer persecution." There are but few when they come at the cross, cry, "Welcome cross!" as some of the martyrs did to the stake they were burned at. Therefore, if you meet with the cross in thy journey, in what manner soever it be, be not daunted, and say, "Alas, what shall I do now!" But rather take courage, knowing that by the cross is the way to the kingdom. Can a man believe in Christ, and not be hated by the devil? Can he make a profession of this Christ, and that sweetly and convincingly, and the children of satan hold their tongues? Can darkness agree with light, or the devil endure that Christ Jesus should be honored both by faith and a heavenly conversation, and let that soul alone at quiet? Did you never read that "the dragon persecuted the woman"? And that Christ saith, "In the world you shall have tribulations"?

Beg of God that he would do these two things for thee: First, enlighten thine understanding; and, second, inflame thy will. If these two be but effectually done, there is no fear but thou wilt go safe to heaven.

One of the great reasons why men and women do so little regard the other world is because they see so little of it; and the reason why they see so little of it is because they have their understanding darkened. And, therefore, saith Paul, "Do not you believers walk as do other Gentiles, even in the vanity of their minds having their understanding darkened, being alienated from the life of God through the ignorance (or foolishness) that is in them, because of the blindness of their heart." Walk not as those, run not with them: alas, poor souls, they have their understandings darkened, their hearts blinded, and that is the reason they have such undervaluing thoughts of the Lord Jesus Christ and the salvation of their souls. For when men do come to see the things of another world, what a God, what a Christ, what a heaven, and what an eternal glory there is to be enjoyed; also, when they see that it is possible for them to have a share in it, I tell you it will make them run through thick and thin to enjoy it. Moses, having a sight of this, because his understanding was enlightened, "He feared not the wrath of the king, but chose rather to suffer afflictions with the people of God than to enjoy the pleasures of sin for a season. He refused to be called the son of the king's daughter," accounting it wonderful riches to be accounted worthy of so much as to suffer for Christ, with the poor despised saints; and that was because he saw him who was invisible, and had respect unto the recompense of reward. And this is that which the Apostle usually prayeth for in his epistles for the saints, namely, "That they might know what is the hope of God's calling, and the riches of the glory of his inheritance in the saints; and that they might be able to comprehend with all saints what is the breadth, and length, and depth, and height, and know the love of Christ, which passeth knowledge." Pray, therefore, that God would enlighten thy understanding; that will be a very great help unto thee. It will make thee endure many a hard brunt for Christ; as Paul saith, "After you were illuminated ye endured a great sight of afflictions; you took joyfully the spoiling of your goods, knowing in yourselves that ye have in heaven a better and an enduring substance." If there be never such a rare jewel lie just in a man's way, yet if he sees it not he will rather trample upon it than stoop for it, and it is because he sees it not. Why, so it is here, though heaven be worth never so much, and thou hast never so much need of it, yet if thou see it not,—that is, have not thy

understanding opened or enlightened to see,—thou wilt not regard at all: therefore cry to the Lord for enlightening grace, and say, "Lord, open my blind eyes; Lord, take the veil off my dark heart," show me the things of the other world, and let me see the sweetness, the glory, and excellency of them for Christ's sake. This is the first.

Cry to God that he would inflame thy will also with the things of the other world. For when a man's will is fully set to do such or such a thing, then it must be a very hard matter that shall hinder that man from bringing about his end. When Paul's will was set resolvedly to go up to Jerusalem, though it was signified to him before what he should there suffer, he was not daunted at all; nay, saith he, "I am ready [or willing] not only to be bound, but also to die at Jerusalem for the name of the Lord Jesus." His will was inflamed with love to Christ; and therefore all the persuasions that could be used wrought nothing at all.

Your self-willed people, nobody knows what to do with them: we used to say, "He will have his own will, do all what you can." Indeed, to have such a will for heaven is an admirable advantage to a man that undertaketh a race thither; a man that is resolved, and hath his will fixed; saith he: "I will do my best to advantage myself, I will do my worst to hinder my enemies, I will not give out as long as I can stand, I will have it or I will lose my life; though he slay me, yet will I trust in him. I will not let thee go except thou bless me." I will, I will, I will, O this blessed inflamed will for heaven! What is it like? If a man be willing, then any argument shall be matter of encouragement; but if unwilling, then any argument shall give discouragement. This is seen both in saints and sinners; in them that are the children of God, and also those that are the children of the devil. As,

1. The saints of old, they being willing and resolved for heaven, what could stop them? Could fire and faggot, sword or halter, stinking dungeons, whips, bears, bulls, lions, cruel rackings, stoning, starving, nakedness; "and in all these things they were more than conquerors, through him that loved them," who had also made them "willing in the day of his power."

2. See again, on the other side, the children of the devil, because they are not willing, how many shifts and starting-holes they will have. I have married a wife; I have a farm; I shall

offend my landlord; I shall offend my master; I shall lose my trading; I shall lose my pride, my pleasures; I shall be mocked and scoffed: therefore I dare not come. I, saith another, will stay till I am older, till my children are out, till I am got a little aforehand in the world, till I have done this and that, and the other business: but, alas! the thing is, they are not willing; for, were they but soundly willing, these, and a thousand such as these, would hold them no faster than the cords held Samson, when he broke them like burnt flax. I tell you the will is all: that is one of the chief things which turns the wheel either backwards or forwards; and God knoweth that full well, and so likewise doth the devil, and therefore they both endeavor very much to strengthen the will of their servants. God, he is for making of his a willing people to serve him; and the devil, he doth what he can to possess the will and affection of those that are his with love to sin; and therefore when Christ comes close to the matter, indeed, saith he, "You will not come to me. How often would I have gathered you as a hen doth her chickens, but you would not." The devil had possessed their wills, and so long he was sure enough of them. O, therefore, cry hard to God to inflame thy will for heaven and Christ: thy will, I say, if that be rightly set for heaven, thou wilt not be beat off with discouragements; and this was the reason that when Jacob wrestled with the angel, though he lost a limb, as it were, and the hollow of his thigh was put out of joint as he wrestled with him, yet, saith he, "I will not," mark, "I will not let thee go except thou bless me." Get thy will tipt with the heavenly grace, and resolution against all discouragements, and then thou goest full speed for heaven; but if thou falter in thy will, and be not found there, thou wilt run hobbling and halting all the way thou runnest, and also to be sure thou wilt fall short at last. The Lord give thee a will and courage.

TRISTAM BURGES

(1770–1853)

THE speech on the Judiciary delivered by Tristam Burges soon after he entered Congress in 1825 attracted the immediate attention of the country. The greater genius of Webster had not then fully asserted itself, and there was a sort of interregnum between the New England orators of the Revolutionary epoch and those who were developed later on by the struggle over slavery. As a representative of the Federalists and Whigs, Burges was welcomed to "the first rank of the orators and statesmen of his country," while his speech on the Judiciary Bill was classed as "one of the greatest displays of eloquence ever made in the House of Representatives."

He had already established a reputation for eloquence at the bar, and it is said that the "power of his oratory was supreme over judges, juries, and spectators." His career in Congress was brief. After a single term he retired to private life, but while representing Rhode Island in Washington, he made several addresses which greatly added to the fame he had won by his first. Among them was his reply to John Randolph, who loved to make New England the butt of the saturnine humor he illustrated in his desire "to go a mile out of his way to kick a sheep" every time he thought of the demand for a high tariff on wool and woolens. Exasperated by Randolph's taunts, Burges closed his defense of New England with the celebrated period:—

"Sir, Divine Providence takes care of his own Universe. Moral monsters cannot propagate. Impotent of everything but malevolence of purpose, they can no otherwise multiply miseries than by blaspheming all that is pure and prosperous and happy. Could demon propagate demon, the earth might become a pandemonium; but I rejoice that the father of lies cannot become also a father of liars. One adversary of God and man is enough for one Universe. Too much — O how much too much for one nation!"

Born at Rochester, Massachusetts, February 26th, 1770, Burges was bred to his father's trade,— that of a cooper,— but having his mind stirred to activity by reading the 'Pilgrim's Progress,' and several other books which fell into his hands when he was young,

he made a brave struggle for higher education, winning it by graduating from Rhode Island College (now Brown University) in 1793. After teaching school in Providence, Rhode Island, while educating himself for the bar, he began the practice of law in 1799, and through his eloquence won prominence so soon, that in 1811 he was appointed Chief-Justice of Rhode Island. He served also for a short time as professor of Oratory and Belles-Lettres in Brown University. After his retirement from Congress and until his death, October 13th, 1853, he "devoted his time chiefly to rural and literary occupations free from any participation in public affairs."

THE SUPREME COURT

(From the Speech Delivered in the House of Representatives, December 1825)

This bill proposes to increase the Supreme Court, originally six, but now seven, by adding three new judges, and making the whole number ten. Can this, sir, be constitutionally done? All supreme judicial power is now lodged in the Supreme Court. What judicial power have you then, sir, to confer on your three new judges? Circuit Court power you certainly have, for all inferior courts are within your control; but all the supreme judicial power is already vested, and no part of it can be taken away. The Supreme Court is a whole, in all its parts, its properties, its extension, its relations. Have you the power to alter it? How, then, can you add to it? Or is it that wonderful entity which addition to it does not increase, or which, multiplied any number of times by itself, would continue to be the same? We shall all acknowledge, sir, that Congress cannot require, by law, the President to select a judge of the Supreme Court from any particular district or part of the United States; but Congress can create a court inferior to the Supreme Court, and among the legal qualifications of the judge insert an inhabitancy or residence within his territorial jurisdiction. This may be the Circuit Court. If, sir, you then annex the office of such a Circuit judge to that of a judge of the Supreme Court, you require, by law, the President to select a judge of the Supreme Court from a limited and designated district of the United States; that is to say, from the territorial jurisdiction of such Circuit judge. The constitutional power of the Supreme Court is vested in the majority of that court; whatever shall change this

relative proportion to the whole number of the number creating that majority must change the vested power of that court, and must, for that reason, be unconstitutional; but four, the majority of six, is two-thirds of that court; whereas six, the majority of ten, is less than two-thirds of that court. Making the number of judges ten is therefore altering the power of the court, vested in two-thirds thereof, and giving it to a lesser proportionate number.

It may, sir, be set down as a political axiom, that, when you shall have added so many judges to the original number of the Supreme Court as will make a majority or constitutional quorum of that court, the judicial article of the Constitution will have been expunged. Add your three new judges, it makes ten. This is four more than the original number; six is a constitutional quorum of ten: but four is a majority of that quorum, and may reverse all the decisions of the original court.

All decisions of the Supreme Court, on the Constitution, on treaties, and on laws, not enacted by Congress, are beyond the control of the National Legislature; but if we can send into the Supreme Court an overruling majority, whenever the united ambition of Congress and the Executive may choose to do it, we place the Constitution, and all treaties, and all constitutions and laws of all the States, in the power of two branches of the government, and thus erect ourselves into a complete tyranny; and, that, too, as the advocates of the bill must contend, upon perfectly constitutional principles. Does the Constitution, sir, thus place the Judiciary at the good will and pleasure of the other two branches of the government? No, sir; the patriots who built, and the people who consecrated that glorious fabric, did not intend to devote their temple to the polluted oblations of legislative ambition, or the unhallowed rites of executive subserviency.

The wisdom of legislation, sir, should look to the durability of her works. How long, sir, will the Judiciary, as amended by the provisions of the bill, continue to subserve and satisfy the wants of the country? Some of its advocates say twenty, some fifty, and some one hundred years. Yes, sir, those gentlemen, who have, with all the force of facts, and all the resistless conclusions of reason, pressed on this House the unparalleled growth of Western wealth and Western population, do say that new States will not, in less than one hundred years, have been added to this Union in such a number as to require even one additional

judicial circuit. Have they duly considered the various expansive principles of production and population in this country? A prescient policy should look to the future under the lights of the past. In twice that period, a few scattered families have augmented to more than ten millions of people, covering eight hundred and forty-seven thousand one hundred and eighteen square miles of territory, arranged into twenty-four United States, and requiring ten judicial circuits. Through this whole course, the people and the country seem to have multiplied and extended in nearly a geometrical ratio. Ten millions of people not quite five years ago; five millions of couples for heads of families; and, at this moment, not less than two millions five hundred thousand of the whole number placed in that relation. Ordinary calculation may, under ordinary prosperity, expect to find in each family eight children. This will, in less than twenty years, give to our population twenty additional millions of people. Will not new States arise? Already, sir, you have three new territories. Florida is spreading her population down to the very margin of her waters, and enriching her cultivation from the "cane-bearing isles of the West." Arkansas is looking up the channel of her long rivers, towards the mountains of Mexico, and will soon become rich, populous, and highly cultivated. The tide of migration is setting up the grand canal towards Michigan, and that peninsula will, in a short period, be located and peopled from lake to lake. These three, sir, in less than five years, with due courtesy, and fair cause for admission, will knock at your door, and propose to sit down in the family circle of political union. This is not all, sir. Population is traveling up the latitude, across your northwestern territory, towards the great Caspian of our continent; and when they shall have heard of your ships on the waters of the Oregon, and of your colonies along the rich valley of that river,—as from the able report of the gentleman from Massachusetts, whose mind is capacious of such things, we may predict they will very soon hear, —these people will then, sir, with the rapidity of a deep sea-lead, thrown from the chains of a seventy-four, plunge down the longitude to meet and to mingle with their countrymen on the waters of the Pacific.

Twenty years, sir! Are we told the system of the bill will accommodate and satisfy the judicial wants of this country for twenty years? In twenty years you will have ten new States

and thirty millions of people! Why, sir, in such a country — such a sun-bright region of hill and vale, mountain and moor, river, plain, lake, and all of boundless fertility — where population is busy on land and on ocean; where, from the plough, the loom, and the soil, are continually drawn the materials of food, clothing, habitation; where the human arteries swell and pulsate with teeming existence; where the human bosom heaves and palpitates with the fostering current of incipient life — what calculation will you make? What calculation can you make, approximating in any reasonable degree towards reality?

What then, sir, the advocates of the system of the bill may ask — what shall be done? The opposers of it are prepared for the interrogatory: Adopt the system recommended by the resolution. Restore the Constitution. Trace out and fill up the great judiciary map of 1789, revise and correct and establish the constitutional lines of the law of 1801. We are told, sir, by the gentleman from Illinois, that the experience of a single year overthrew that system. Was, then, the system of 1801 overthrown by experience? As well might the honorable gentleman tell us that brick and granite and marble are improper materials for houses and palaces and temples, because experience has taught us that, at some times, and in some places, earthquakes have overthrown and demolished such buildings. "It was," says the honorable gentleman from Massachusetts, chairman of the Judiciary Committee, "repealed in one year *in toto*." Was it because that, or the law on which it was founded, was "enacted in the hurried session of the summer of 1789"? Because it was built on false analogies, or contained awkward provisions? That session, sir, was begun on the fourth of March, and ended on the twenty-fourth of September. In this session of somewhat more than six months, those illustrious men enacted twenty-seven laws, and passed three resolutions. Was this hurried legislation? Why, sir, many a Congress, since that period, putting no extraordinary vigor or hasty effort to the work, has, in less time, sent into the world a legislative progeny of from two to three hundred laws, great and little. What have we now, sir, valuable, or of probable durability, and which was not produced by that Congress, at that session? The fiscal, the foreign, the war, the naval, and the judicial departments, were then, and by those men, founded, erected, and finished. These great national edifices have stood, and I trust will continue to stand; for, when the vandalism

of faction shall demolish them, we shall cease to be a nation. Later times, it is true, have added, now and then, a piece of tiling, or a patch of paint; and the nation has put itself to costs upon the interior garniture of them, the drapery, and other various ornament and accommodation; but, otherwise, these valuable edifices are as old, as unaltered, and quite as venerable as the Constitution itself. "Awkward provisions and false analogies," do we call any part of the Judiciary Act of that session? It was, sir, indited by the Ellsworths and Hamiltons of those times,— men, whose political little finger was larger than the loins of politicians in these degenerate days. Why, sir, do not men who know tell us boldly for what cause the judiciary law of 1801 was repealed? Men of candor, and I trust, sir, such men are in great numbers here, will all agree that party overthrew that system. Why disguise it? Those unhappy days are past, and we are indeed now all "brothers of the same principle." What was not demolished in those inconsiderate times? The national bank, the army, the navy, fortifications,—almost all that told the understanding, or the eye, that we are one,—tumbled into ruins in the shock of that tremendous political earthquake. Coming years brought better feelings and sounder reasonings; and men have profited by their experience, and re-edified all that was most valuable: the bank, the army, the navy, the system of fortifications; and we are again a nation. Our fortresses on the ocean and on the land look out from many a hundred iron eyes, ready with indignation to blaze annoyance and destruction against hostile approach. Why, sir, do you not follow this enlightened experience in your Judiciary? The very Turk or Tartar, though he demolish the palace and temple of classical antiquity, yet will he draw from the ruins materials for his stable and his seraglio. He who does not profit by that of others stands in the next rank of fatuity to him who is a fool in spite of his own experience.

EDMUND BURKE

(1729–1797)

EDMUND BURKE has been called the Shakespeare of English orators, and certainly no one else so well deserves the title. His mind never acknowledges limitation. His thoughts are multitudinous, succeeding each other, flowing into each other, impelling each other with that ever-changing unity which, when seen in the waves of the sea, with the sun shining upon it, at once delights and dazzles.

"Possessed," says Brougham, "of most extensive knowledge and of learning of the most various description; acquainted alike with what different classes of men knew, each in his own province, and with much that hardly any one else ever thought of learning, he could either bring his masses of information to bear directly upon the subjects to which they severally belonged, or he could avail himself of them generally to strengthen his faculties and enlarge his views, or he could turn any portion of them to account for the purpose of enlarging his theme and enriching his diction. Hence, when he is handling any one matter, we perceive that we are conversing with a reasoner or a teacher to whom almost every other branch of knowledge is familiar. His views range over all cognate subjects; his reasonings are derived from principles applicable to other matters, as well as to the one in hand; arguments pour in from all sides, as well as those which start up under our feet, the natural growth of the path he is leading us; while to throw light round our steps and either explore its darker places or serve for our recreation, illustrations are fetched from a thousand quarters; and an imagination marvelously quick to descry unthought-of resemblances pours forth the stores which a lore yet more marvelous has gathered from all ages and nations and arts and tongues."

That this tribute of one great orator to the powers of a greater is not exaggerated, we know from the effects often produced by Burke upon his audiences. "In the Hastings trial," writes Doctor Matthews, "it is said that when Burke, with an imagination almost as Oriental as the scenes he depicted, described, in words that will live as long as the English language, the cruelties inflicted upon the natives of India by Debi Sing, one of Hastings's agents, a convulsive shudder ran through the whole assembly; indignation and rage filled the breasts

EDMUND BURKE.

After the Portrait by Sir Joshua Reynolds.

BURKE never ceased to look like a schoolboy. None of his pictures suggest his transcendent genius, but in the forehead and eyes, this by Reynolds has something of the qualities which made him the greatest orator of modern times.

of his hearers; some of the ladies "swooned away"; and Hastings himself, though he had protested his innocence, was utterly overwhelmed. "For half an hour," he said afterwards, in describing the scene, "I looked on the orator in a reverie of wonder, and actually thought myself the most culpable man on earth."

That the ability to produce this profound impression on others was not merely intellectual but constitutional with Burke, we know from his defense of himself when his 'Reflections on the French Revolution' alienated many who had been his friends,—among them Philip Francis, who, seeing the proof sheets of the work, tried to dissuade Burke from publishing it.

Speaking of Marie Antoinette, Burke had written the memorable comparison: "And surely never lighted on this orb, which she hardly seemed to touch, a more delightful vision. I saw her just above the horizon, decorating and cheering the elevated sphere she had just begun to move in, glittering like the morning star, full of life and splendor and joy."

When Francis called this a piece of foppery, asking Burke if Marie Antoinette were not a jade, a mere Messalina, Burke replied indignantly: "I know nothing of your Messalinas. Am I obliged to prove judicially the virtues of those I see suffering every kind of wrong? . . . I tell you again that the recollection of the manner in which I saw the Queen of France in 1774 and the contrast between that brilliancy, splendor, and beauty, with the prostrate homage of a nation to her, and the abominable scene of 1789, which I was describing, did draw tears from me and wetted the paper. Those tears came again into my eyes almost as often as I looked at the description. They may again. You do not believe this fact nor that these are my real feelings, but that the whole is affected or, as you express it, 'downright foppery.' My friend, I tell you it is truth and that it is true and will be true when you and I are no more, and will exist as long as men with their natural feelings shall exist."

Undoubtedly it was this deep emotional earnestness which gave Burke's magnificent intellect its effectiveness. We can see what this effectiveness means and how completely it depends on his sympathies when we undertake to read those speeches where, without being "keyed up" to his highest nervous possibilities, he is using his intellect merely. Such passages are frequent in his speeches; often when he is reasoning well and consecutively, they are prosy; and sometimes when he is relaxed after the strain of intellectual and emotional exaltation, they are dull. Reading them and searching for the secret of the power which has gone out from them and left them thus lifeless, we see that it is the same which controlled Burke when he wetted his paper with tears for Marie Antoinette. No man who attains the sublime as often as he did can keep his

position of costly eminence, and in his reactions he must pay the price for it Burke paid in acquiring habits through which he won the ability to make the most wonderful speeches ever made in England, and joined with it a more extraordinary faculty for emptying benches under the sound of his voice than any other great orator had ever demonstrated. This seems largely due to his very greatness. His own intellectual strength made him forget the intellectual weaknesses of others. Standing unwearied before people of ordinary minds, pouring out not one oration, a perfect whole, but one after another, each dealing with some thought which, for the time, mastered him,—each with its own perfection of art, its own rapid development of thought,—he could not carry his audience with him, because he alone had the intellectual strength to keep the thread of the argument so as to be able to join the splendid parts into an intelligible and concordant whole. His speeches at the trial of Hastings are as Homeric in quantity as in quality. Few will even attempt to keep the connection from their beginning to the end. But no one could be so obtuse as to miss the point of the fiery periods in which his immortal indignation blazed out against Hastings and conquest as a commercial method, when he came to describe the atrocities of Debi Sing.

Burke was born in Dublin, January 12th, 1729 N. S.,—the second of the fifteen children of an Irish attorney, most of whom were delicate and died young. Burke himself was never strong, and the great results he achieved were in spite of physical weakness. His education which received its greatest impetus at Trinity College, Dublin, never ceased during his lifetime. He seems to have had one of those peculiar minds which retain in mature life the childish ability to learn easily,—the puerile habit, so soon lost and with most never regained, of welcoming information regardless of the quarter it comes from.

Burke's biography is the history of the most important period in modern politics. It would be presumption to attempt it here. It is enough to add that when he died, July 9th, 1797, he left a world which his genius and his sympathy for the suffering he saw everywhere around him had made more fit for his successor, when he comes to pay with his own emotion the price of the sympathy every great mind feels as the secret of its ability to champion the weak and to win the battles of helplessness against power. But his successor has not yet come nor do those who would welcome him most, expect him soon. W. V. B.

As the most nearly adequate introduction possible for Burke's unapproachable oration of February 18th and 19th, 1788, opening the charge of bribery against Hastings, Macaulay's description of the trial is subjoined.

THE TRIAL OF WARREN HASTINGS

(From Macaulay's 'Essay on Warren Hastings,' Edinburgh Review, October 1841)

THERE have been spectacles more dazzling to the eye, more gorgeous with jewelry and cloth of gold, more attractive to grown-up children, than that which was exhibited at Westminster; but, perhaps, there never was a spectacle so well calculated to strike a highly cultivated, a reflecting, an imaginative mind. All the various kinds of interest which belong to the near and to the distant, to the present and to the past, were collected on one spot and in one hour. All the talents and all the accomplishments which are developed by liberty and civilization were now displayed, with every advantage that could be derived both from co-operation and from contrast. Every step in the proceedings carried the mind either backward, through many troubled centuries, to the days when the foundations of the Constitution were laid; or far away over boundless seas and deserts, to dusky nations living under strange stars, worshiping strange gods, and writing strange characters from right to left. The High Court of Parliament was to sit, according to forms handed down from the days of the Plantagenets, on an Englishman accused of exercising tyranny over the lord of the holy city of Benares, and the ladies of the princely house of Oude.

The place was worthy of such a trial. It was the great hall of William Rufus; the hall which had resounded with acclamations at the inauguration of thirty kings; the hall which had witnessed the just sentence of Bacon and the just absolution of Somers; the hall where the eloquence of Strafford had for a moment awed and melted a victorious party inflamed with just resentment; the hall where Charles had confronted the High Court of Justice with the placid courage which has half redeemed his fame. Neither military nor civil pomp was wanting. The avenues were lined with grenadiers. The streets were kept clear by cavalry. The peers, robed in gold and ermine, were marshaled by the heralds under Garter-King-at-Arms. The judges, in their vestments of state, attended to give advice on points of law. Nearly a hundred and seventy lords, three-fourths of the Upper House, as the Upper House then was, walked in solemn order from their

usual place of assembling to the tribunal. The junior baron present led the way,—Lord Heathfield, recently ennobled for his memorable defense of Gibraltar against the fleets and armies of France and Spain. The long procession was closed by the Duke of Norfolk, earl marshal of the realm, by the great dignitaries, and by the brothers and sons of the king. Last of all came the Prince of Wales, conspicuous by his fine person and noble bearing. The gray old walls were hung with scarlet. The long galleries were crowded by such an audience as had rarely excited the fears or the emulation of an orator. There were gathered together, from all parts of a great, free, enlightened, and prosperous realm, grace and female loveliness, wit and learning, the representatives of every science and of every art. There were seated around the Queen the fair-haired young daughters of the house of Brunswick. There the ambassadors of great kings and commonwealths gazed with admiration on a spectacle which no other country in the world could present. There Siddons, in the prime of her majestic beauty, looked with emotion on a scene surpassing all the imitations of the stage. There the historian of the Roman Empire thought of the days when Cicero pleaded the cause of Sicily against Verres, and when, before a senate which had still some show of freedom, Tacitus thundered against the oppressor of Africa. There were seen, side by side, the greatest painter and the greatest scholar of the age. The spectacle had allured Reynolds from that easel which has preserved to us the thoughtful foreheads of so many writers and statesmen and the sweet smiles of so many noble matrons. It had induced Parr to suspend his labors in that dark and profound mine from which he had extracted a vast treasure of erudition,—a treasure too often buried in the earth, too often paraded with injudicious and inelegant ostentation, but still precious, massive, and splendid. There appeared the voluptuous charms of her to whom the heir of the throne had in secret plighted his faith. There, too, was she, the beautiful mother of a beautiful race, the Saint Cecilia, whose delicate features, lighted up by love and music, art has rescued from the common decay. There were the members of that brilliant society which quoted, criticized, and exchanged repartees, under the rich peacock hangings of Mrs. Montague. And here the ladies, whose lips, more persuasive than those of Fox himself, had carried the Westminster election against palace and treasury, shone round Georgiana, Duchess of Devonshire.

The Sergeants made proclamation. Hastings advanced to the bar and bent his knee. The culprit was indeed not unworthy of that great presence. He had ruled an extensive and populous country, had made laws and treaties, had sent forth armies, had set up and pulled down princes. And in his high place he had so borne himself, that all had feared him, that most had loved him, and that hatred itself could deny him no title to glory, except virtue. He looked like a great man and not like a bad man. A person small and emaciated, yet deriving dignity from a carriage which, while it indicated deference to the court, indicated also habitual self-possession and self-respect; a high and intellectual forehead; a brow pensive, but not gloomy; a mouth of inflexible decision; a face pale and worn, but serene, on which was written, as legibly as under the great picture in the council chamber at Calcutta, *Mens æqua in arduis*. Such was the aspect with which the great proconsul presented himself to the judges.

His counsel accompanied him, men all of whom were afterwards raised by their talents and learning to the highest posts in their profession,—the bold and strong-minded Law, afterwards chief-justice of the king's bench; the more humane and eloquent Dallas, afterwards chief-justice of the common pleas; and Plomer, who, nearly twenty years later, successfully conducted in the same high court the defense of Lord Melville, and subsequently became vice-chancellor and master of the rolls.

But neither the culprit nor his advocates attracted so much notice as the accusers. In the midst of the blaze of red drapery, a space had been fitted up with green benches and tables for the Commons. The managers, with Burke at their head, appeared in full dress. The collectors of gossip did not fail to remark that even Fox, generally so regardless of his appearance, had paid to the illustrious tribunal the compliment of wearing a bag and sword. Pitt had refused to be one of the conductors of the impeachment; and his commanding, copious, and sonorous eloquence was wanting to that great muster of various talents. Age and blindness had unfitted Lord North for the duties of a public prosecutor, and his friends were left without the help of his excellent sense, his tact, and his urbanity. But, in spite of the absence of these two distinguished members of the Lower House, the box in which the managers stood contained an array of speakers such as perhaps had not appeared together since the great age of Athenian eloquence. There stood Fox and Sheridan,

the English Demosthenes and the English Hyperides. There was Burke, ignorant, indeed, or negligent of the art of adapting his reasonings and his style to the capacity and taste of his hearers, but in aptitude of comprehension and richness of imagination superior to every orator, ancient or modern. There, with eyes reverentially fixed on Burke, appeared the finest gentleman of the age,—his form developed by every manly exercise, his face beaming with intelligence and spirit,—the ingenious, the chivalrous, the high-souled Windham. Nor, though surrounded by such men, did the youngest manager pass unnoticed. At an age when most of those who distinguish themselves in life are still contending for prizes and fellowships at college, he had won for himself a conspicuous place in Parliament. No advantage of fortune or connection was wanting that could set off to the height his splendid talents and his unblemished honor. At twenty-three he had been thought worthy to be ranked with the veteran statesmen who appeared as the delegates of the British Commons, at the bar of the British nobility. All who stood at that bar, save him alone, are gone,—culprit, advocates, accusers. To the generation which is now in the vigor of life, he is the sole representative of a great age which has passed away. But those who, within the last ten years, have listened with delight, till the morning sun shone on the tapestries of the House of Lords, to the lofty and animated eloquence of Charles Earl Grey, are able to form some estimate of the powers of a race of men among whom he was not the foremost.

The charges and the answers of Hastings were first read. This ceremony occupied two whole days, and was rendered less tedious than it would otherwise have been, by the silver voice and just emphasis of Cowper, the clerk of the court, a near relation of the amiable poet. On the third day Burke rose. Four sittings of the court were occupied by his opening speech, which was intended to be a general introduction to all the charges. With an exuberance of thought and a splendor of diction which more than satisfied the highly-raised expectation of the audience, he described the character and institutions of the natives of India, recounted the circumstances in which the Asiatic empire of Britain had originated, and set forth the constitution of the company and of the English presidencies. Having thus attempted to communicate to his hearers an idea of Eastern society, as vivid as that which existed in his own mind, he proceeded to arraign

the administration of Hastings, as systematically conducted in defiance of morality and public law. The energy and pathos of the great orator extorted expressions of unwonted admiration even from the stern and hostile chancellor, and for a moment seemed to pierce even the resolute heart of the defendant. The ladies in the galleries, unaccustomed to such displays of eloquence, excited by the solemnity of the occasion, and perhaps not unwilling to display their taste and sensibility, were in a state of uncontrollable emotion. Handkerchiefs were pulled out, smelling bottles were handed round, hysterical sobs and screams were heard, and Mrs. Sheridan was carried out in a fit. At length the orator concluded. Raising his voice till the old arches of Irish oak resounded—"Therefore," said he, "hath it with all confidence been ordered by the Commons of Great Britain, that I impeach Warren Hastings of high crimes and misdemeanors. I impeach him in the name of the Commons House of Parliament, whose trust he has betrayed. I impeach him in the name of the English nation, whose ancient honor he has sullied. I impeach him in the name of the people of India, whose rights he has trodden under foot, and whose country he has turned into a desert. Lastly, in the name of human nature itself, in the name of both sexes, in the name of every age, in the name of every rank, I impeach the common enemy and oppressor of all!"

When the deep murmur of various emotions had subsided, Mr. Fox rose to address the lords respecting the course of proceedings to be followed. The wish of the accuser was, that the court would bring to a close the investigation of the first charge before the second was opened. The wish of Hastings and his counsel was, that the managers should open all the charges, and produce all the evidence for the prosecution, before the defense began. The lords retired to their own house, to consider the question. The Chancellor took the side of Hastings. Lord Loughborough, who was now in opposition, supported the demand of the managers. The division showed which way the inclination of the tribunal leaned. A majority of nearly three to one decided in favor of the course for which Hastings contended.

When the court sat again, Mr. Fox, assisted by Mr. Grey, opened the charge respecting Cheyte Sing, and several days were spent in reading papers and hearing witnesses. The next article was that relating to the Princesses of Oude. The conduct

of this part of the case was intrusted to Sheridan. The curiosity of the public to hear him was unbounded. The sparkling and highly-finished declamation lasted two days, but the hall was crowded to suffocation during the whole time. It was said that fifty guineas had been paid for a single ticket. Sheridan, when he concluded, contrived, with a knowledge of stage effect which his father might have envied, to sink back, as if exhausted, into the arms of Burke, who hugged him with the energy of generous admiration.

June was now far advanced. The session could not last much longer, and the progress which had been made in the impeachment was not very satisfactory. There were twenty charges. On two only of these had even the case for the prosecution been heard, and it was now a year since Hastings had been admitted to bail.

The interest taken by the public in the trial was great when the court began to sit, and rose to the height when Sheridan spoke on the charges relating to the Begums. From that time the excitement went down fast. The spectacle had lost the attraction of novelty. The great displays of rhetoric were over. What was behind was not of a nature to entice men of letters from their books in the morning, or to tempt ladies who had left the masquerade at two, to be out of bed before eight. There remained examinations and cross-examinations. There remained statements of accounts. There remained the reading of papers, filled with words unintelligible to English ears — with lacs and crores, zemindars and aumils, sunnuds and perwannahs, jagnires and nuzzurs. There remained bickerings, not always carried on with the best taste or with the best temper, between the managers of the impeachment and the counsel for the defense, particularly between Mr. Burke and Mr. Law. There remained the endless marches and countermarches of the peers between their house and the hall, for as often as a point of law was to be discussed their lordships retired to discuss it apart; and the consequence was, as the late Lord Stanhope wittily said, that the judges walked and the trial stood still.

It is to be added, that in the spring of 1788, when the trial commenced, no important question, either of domestic or foreign policy, excited the public mind. The proceeding in Westminster Hall, therefore, naturally excited most of the attention of Parliament and of the public. It was the one great event of that

season. But in the following year, the King's illness, the debates on the regency, the expectation of a change of ministry, completely diverted public attention from Indian affairs; and within a fortnight after George III. had returned thanks in St. Paul's for his recovery, the States-General of France met at Versailles. In the midst of the agitation produced by those events, the impeachment was for a time almost forgotten.

SPEECH OF BURKE

(On the Impeachment of Warren Hastings, Opening the Charge of Bribery, February 18th and 19th, 1788)

My Lords:—

THE gentlemen who are appointed by the Commons to manage this prosecution have directed me to inform your lordships that they have very carefully and attentively weighed the magnitude of the subject, which they bring before you, with the time which the nature and circumstances of affairs allows for their conducting it.

My lords, on that comparison they are very apprehensive, that, if I should go very largely into a preliminary explanation of the several matters in charge, it might be to the prejudice of an early trial of the substantial merits of each article. We have weighed and considered this maturely. We have compared exactly the time with the matter, and we have found that we are obliged to do, as all men must do who would manage their affairs practicably, to make our opinion of what might be most advantageous to the business conform to the time that is left to perform it in. We must, as all men must, submit affairs to time, and not think of making time conform to our wishes; and therefore, my lords, I very willingly fall in with the inclinations of the gentlemen, with whom I have the honor to act, to come as soon as possible to close fighting, and to grapple immediately and directly with the corruptions of India; to bring before your lordships the direct articles; to apply the evidence to the articles, and to bring the matter forward for your lordships' decision in that manner which the confidence we have in the justice of our cause demands from the Commons of Great Britain.

My lords, these are the opinions of those with whom I have the honor to act, and in their opinions I readily acquiesce. For

I am far from wishing to waste any of your lordships' time upon any matter merely through any opinion I have of the nature of the business, when at the same time I find that in the opinion of others it might militate against the production of its full, proper, and, if I may so say, its immediate effect.

It was my design to class the crimes of the late governor of Bengal — to show their mutual bearings — how they were mutually aided, and grew and were formed out of each other. I proposed first of all to show your lordships that they have their root in that, which is the origin of all evil, avarice, and rapacity; to show how that led to prodigality of the public money, and how prodigality of the public money, by wasting the treasures of the East India Company, furnished an excuse to the governor-general to break its faith, to violate all its most solemn engagements, and to fall with a hand of stern, ferocious, and unrelenting rapacity upon all the allies and dependencies of the company. But I shall be obliged in some measure to abridge this plan; and as your lordships already possess, from what I had the honor to state on Saturday, a general view of this matter, you will be in a condition to pursue it when the several articles are presented.

My lords, I have to state to-day the root of all these misdemeanors; namely, the pecuniary corruption and avarice which gave rise and primary motion to all the rest of the delinquencies charged to be committed by the governor-general.

My lords, pecuniary corruption forms not only, as your lordships will observe in the charges before you, an article of charge by itself, but likewise so intermixes with the whole, that it is necessary to give, in the best manner I am able, a history of that corrupt system, which brought on all the subsequent acts of corruption. I will venture to say, there is no one act, in which tyranny, malice, cruelty, and oppression can be charged, that does not at the same time carry evident marks of pecuniary corruption.

I stated to your lordships, on Saturday last, the principles upon which Mr. Hastings governed his conduct in India, and upon which he grounds his defense. These may all be reduced to one short word, *arbitrary power*. My lords, if Mr. Hastings had contended as other men have often done, that the system of government which he patronizes, and on which he acted, was a system tending on the whole to the blessing and benefit of

mankind, possibly something might be said for him for setting up so wild, absurd, irrational, and wicked a system. Something might be said to qualify the act from the intention; but it is singular in this man, that, at the time he tells you he acted on the principles of arbitrary power, he takes care to inform you that he was not blind to the consequences. Mr. Hastings foresaw that the consequence of this system was corruption. An arbitrary system, indeed, must always be a corrupt one. My lords, there never was a man who thought he had no law but his own will, who did not soon find that he had no end but his own profit. Corruption and arbitrary power are of natural unequivocal generation, necessarily producing one another. Mr. Hastings foresees the abusive and corrupt consequences, and then he justifies his conduct upon the necessities of that system. These are things which are new in the world: for there never was a man, I believe, who contended for arbitrary power,—and there have been persons wicked and foolish enough to contend for it,—who did not pretend, either that the system was good in itself, or that by his conduct he had mitigated or had purified it, and that the poison by passing through his constitution had acquired salutary properties. But if you look at his defense before the House of Commons, you will see that that very system upon which he governed, and under which he now justifies his actions, did appear to himself a system pregnant with a thousand evils and a thousand mischiefs.

The next thing that is remarkable and singular in the principles upon which the governor-general acted is that when he is engaged in a vicious system which clearly leads to evil consequences, he thinks himself bound to realize all the evil consequences involved in that system. All other men have taken a directly contrary course; they have said, I have been engaged in an evil system, that led, indeed, to mischievous consequences, but I have taken care by my own virtues to prevent the evils of the system under which I acted.

We say, then, not only that he governed arbitrarily, but corruptly; that is to say, that he was a giver and receiver of bribes, and formed a system for the purpose of giving and receiving them. We wish your lordships distinctly to consider, that he did not only give and receive bribes accidentally, as it happened, without any system and design, merely as the opportunity or momentary temptation of profit urged him to it, but that he has

formed plans and systems of government for the very purpose of accumulating bribes and presents to himself. This system of Mr. Hastings's government is such a one, I believe, as the British nation in particular will disown, for I will venture to say, that, if there is any one thing which distinguishes this nation eminently above another, it is, that in its offices at home, both judicial and in the State, there is less suspicion of pecuniary corruption attaching to them than to any similar offices in any part of the globe, or that have existed at any time; so that he, who would set up a system of corruption, and attempt to justify it upon the principle of utility, that man is staining not only the nature and character of office, but that which is the peculiar glory of the official and judicial character of this country; and therefore in this house, which is eminently the guardian of the purity of all the offices of this kingdom, he ought to be called eminently and peculiarly to account. There are many things, undoubtedly, in crimes, which make them frightful and odious; but bribery, filthy hands, a chief governor of a great empire receiving bribes from poor, miserable, indigent people, this is what makes government itself base, contemptible, and odious in the eyes of mankind.

My lords, it is certain that even tyranny itself may find some specious color, and appear as a more severe and rigid execution of justice. Religious persecution may shield itself under the guise of a mistaken and over-zealous piety. Conquest may cover its baldness with its own laurels, and the ambition of the conqueror may be hid in the secrets of his own heart under a veil of benevolence, and make him imagine he is bringing temporary desolation upon a country only to promote its ultimate advantage and his own glory. But in the principles of that governor, who makes nothing but money his object, there can be nothing of this. There are here none of those specious delusions that look like virtues, to veil either the governed or the governor. If you look at Mr. Hastings's merits, as he calls them, what are they? Did he improve the internal state of the government by great reforms? No such thing. Or by a wise and incorrupt administration of justice? No. Has he enlarged the boundary of our government? No; there are but too strong proofs of his lessening it. But his pretensions to merit are, that he squeezed more money out of the inhabitants of the country than other persons could have done,— money got by oppression, violence,

extortion from the poor, or the heavy hand of power upon the rich and great.

These are his merits. What we charge as his demerits are all of the same nature; for though there is undoubtedly oppression, breach of faith, cruelty, perfidy, charged upon him, yet the great ruling principle of the whole, and that from which you can never have an act free, is money. It is the vice of base avarice, which never is, nor ever appears even to the prejudices of mankind to be anything like a virtue. Our desire of acquiring sovereignty in India undoubtedly originated first in ideas of safety and necessity; its next step was a step of ambition. That ambition, as generally happens in conquest, was followed by gains of money; but afterwards there was no mixture at all; it was, during Mr. Hastings's time, altogether a business of money. If he has extirpated a nation, I will not say whether properly or improperly, it is because, says he, you have all the benefit of conquest without expense, you have got a large sum of money from the people, and you may leave them to be governed by whom, and as they will. This is directly contrary to the principles of conquerors. If he has at any time taken any money from the dependencies of the company, he does not pretend that it was obtained from their zeal and affection to our cause, or that it made their submission more complete; very far from it. He says they ought to be independent, and all that you have to do is to squeeze money from them. In short, money is the beginning, the middle, and the end of every kind of act done by Mr. Hastings,—pretendedly for the company, but really for himself.

Having said so much about the origin, the first principle both of that which he makes his merit, and which we charge as his demerit, the next step is, that I should lay open to your lordships, as clearly as I can, what the sense of his employers, the East India Company, and what the sense of the legislature itself has been upon those merits and demerits of money.

My lords, the company, knowing that these money transactions were likely to subvert that empire which was first established upon them, did, in the year 1765, send out a body of the strongest and most solemn covenants to their servants, that they should take no presents from the country powers under any name or description, except those things which were publicly and openly taken for the use of the company, namely, territories or sums of

money, which might be obtained by treaty. They distinguished such presents as were taken from any persons privately and unknown to them, and without their authority, from subsidies; and that this is the true nature and construction of their order, I shall contend and explain afterwards to your lordships. They have said nothing shall be taken for their private use; for though in that and in every State there may be subsidiary treaties by which sums of money may be received, yet they forbid their servants, their governors,—whatever application they might pretend to make of them,—to receive, under any other name or pretense, more than a certain marked simple sum of money, and this not without the consent and permission of the presidency to which they belong. This is the substance, the principle, and the spirit of the covenants, and will show your lordships how radicated an evil this of bribery and presents was judged to be.

When these covenants arrived in India, the servants refused at first to execute them, and suspended the execution of them till they had enriched themselves with presents. Eleven months elapsed, and it was not till Lord Clive reached the place of his destination, that the covenants were executed; and they were not executed then without some degree of force. Soon afterwards the treaty was made with the country powers, by which Shuja ul Dowla was re-established in the province of Oude, and paid a sum of £500,000 to the company for it. It was a public payment, and there was not a suspicion that a single shilling of private emolument attended it. But whether Mr. Hastings had the example of others or not, their example could not justify his briberies. He was sent there to put an end to all those examples. The company did expressly vest him with that power. They declared at that time, that the whole of their service was totally corrupted by bribes and presents, and by extravagance and luxury, which partly gave rise to them; and these in their turn enabled them to pursue those excesses. They not only reposed trust in the integrity of Mr. Hastings, but reposed trust in his remarkable frugality and order in his affairs, which they considered as things that distinguished his character. But in his defense we have him in quite another character, no longer the frugal, attentive servant bred to business, bred to bookkeeping, as all the company's servants are; he now knows nothing of his own affairs, knows not whether he is rich or poor, knows not what he has in the world. Nay, people are brought forward to

say that they know better than he does what his affairs are. He is not like a careful man bred in a countinghouse, and by the directors put into an office of the highest trust on account of the regularity of his affairs; he is like one buried in the contemplation of the stars, and knows nothing of the things in this world. It was then on account of an idea of his great integrity that the company put him into this situation. Since that he has thought proper to justify himself, not by clearing himself of receiving bribes, but by saying that no bad consequences resulted from it, and that, if any such evil consequences did arise from it, they arose rather from his inattention to money than from his desire of acquiring it.

I have stated to your lordships the nature of the covenants, which the East India Company sent out. Afterwards, when they found their servants had refused to execute these covenants, they not only very severely reprehended even a moment's delay in their execution, and threatened the exacting and the most strict and rigorous performance of them, but they sent a commission to enforce the observance of them more strongly; and that commission had it specially in charge never to receive presents. They never sent out a person to India without recognizing the grievance, and without ordering that presents should not be received, as the main fundamental part of their duty, and upon which all the rest depended, as it certainly must; for persons at the head of government should not encourage that by example, which they ought by precept, authority, and force, to restrain in all below them. That commission failing, another commission was preparing to be sent out with the same instructions, when an act of Parliament took it up; and that act, which gave Mr. Hastings power, did mold in the very first stamina of his power this principle, in words the most clear and forcible that an act of Parliament could possibly devise upon the subject. And that act was made not only upon a general knowledge of the grievance, but your lordships will see in the reports of that time that Parliament had directly in view before them the whole of that monstrous head of corruption under the name of presents, and all the monstrous consequences that followed it.

Now, my lords, every office of trust, in its very nature, forbids the receipt of bribes. But Mr. Hastings was forbidden it, first, by his official situation; next by covenant; and, lastly, by act of Parliament; that is to say, by all the things that bind

mankind, or that can bind them,— first, moral obligation inherent in the duty of their office; next, the positive injunctions of the legislature of the country; and, lastly, a man's own private, particular, voluntary act and covenant. These three, the great and only obligations that bind mankind, all united in the focus of this single point — that they should take no presents.

I am to mark to your lordships, that this law and this covenant did consider indirect ways of taking presents — taking them by others, and such like — directly in the very same light as they considered taking them by themselves. It is perhaps a much more dangerous way, because it adds to the crime a false prevaricating mode of concealing it, and makes it much more mischievous by admitting others into the participation of it. Mr. Hastings has said, and it is one of the general complaints of Mr. Hastings, that he is made answerable for the acts of other men. It is a thing inherent in the nature of his situation. All those who enjoy a great superintending trust, which is to regulate the whole affairs of an empire, are responsible for the acts and conduct of other men, so far as they had anything to do with appointing them, or holding them in their places, or having any sort of inspection into their conduct.

But when a governor presumes to remove from their situations those persons whom the public authority and sanction of the company have appointed, and obtrudes upon them by violence other persons, superseding the orders of his masters, he becomes doubly responsible for their conduct. If the persons he names should be of notorious evil character and evil principles, and if this should be perfectly known to himself, and of public notoriety to the rest of the world, then another strong responsibility attaches on him for the acts of those persons.

Governors, we know very well, cannot, with their own hands, be continually receiving bribes; for then they must have as many hands as one of the idols in an Indian temple in order to receive all the bribes which a governor-general may receive; but they have them vicariously. As there are many offices, so he has had various officers for receiving and distributing his bribes; he has had a great many, some white and some black agents. The white men are loose and licentious; they are apt to have resentments, and to be bold in revenging them. The black men are very secret and mysterious; they are not apt to have very quick resentments; they have not the same liberty and boldness

of language which characterize Europeans; and they have fears, too, for themselves, which makes it more likely that they will conceal anything committed to them by Europeans. Therefore, Mr. Hastings had his black agents, not one, two, three, but many, disseminated through the country; no two of them hardly appear to be in the secret of any one bribe. He has had likewise his white agents,—they were necessary,—a Mr. Larkins and a Mr. Crofts. Mr. Crofts was sub-treasurer, and Mr. Larkins accountant-general. These were the last persons of all others, that should have had anything to do with bribes; yet these were some of his agents in bribery. There are few instances in comparison of the whole number of bribes, but there are some, where two men are in the secret of the same bribe. Nay, it appears that there was one bribe divided into different payments at different times,—that one part was committed to one black secretary, another part to another black secretary. So that it is almost impossible to make up a complete body of all his bribery; you may find the scattered limbs, some here, and others there, and while you are employed in picking them up, he may escape entirely in a prosecution for the whole.

The first act of his government in Bengal was the most bold and extraordinary that I believe ever entered into the head of any man,—I will say, of any tyrant. It was no more or less than a general, almost exceptionless, confiscation, in time of profound peace, of all the landed property in Bengal, upon most extraordinary pretenses. Strange as this may appear, he did so confiscate it; he put it up to a pretended public, in reality to a private, corrupt auction, and such favored landowners as came to it were obliged to consider themselves as not any longer proprietors of the estates, but to recognize themselves as farmers under government; and even those few that were permitted to remain on their estates had their payments raised at his arbitrary discretion, and the rest of the lands were given to farmers-general, appointed by him and his committee, at a price fixed by the same arbitrary discretion.

It is necessary to inform your lordships that the revenues of Bengal are, for the most part, territorial revenues, great quitrents issuing out of lands. I shall say nothing either of the nature of this property, of the rights of the people to it, or of the mode of exacting the rents, till that great question of revenues, one of the greatest which we shall have to lay before you, shall be

brought before your lordships particularly and specially as an article of charge. I only mention it now as an exemplification of the great principle of corruption which guided Mr. Hastings's conduct.

When the ancient nobility, the great princes,—for such I may call them,—a nobility, perhaps, as ancient as that of your lordships, and a more truly noble body never existed in that character; my lords, when all the nobility, some of whom have borne the rank and port of princes, all the gentry, all the freeholders of the country, had their estates in that manner confiscated, that is, either given to themselves to hold on the footing of farmers, or totally confiscated; when such an act of tyranny was done, no doubt some good was pretended. This confiscation was made by Mr. Hastings, and the lands let to these farmers for five years, upon an idea, which always accompanies his acts of oppression,—the idea of moneyed merit. He adopted this mode of confiscating the estates, and letting them to farmers, for the avowed purpose of seeing how much it was possible to take out of them. Accordingly, he set them up to this wild and wicked auction, as it would have been, if it had been a real one,—corrupt and treacherous, as it was. He set these lands up for the purpose of making that discovery, and pretended that the discovery would yield a most amazing increase of rent. And for some time it appeared so to do, till it came to the touchstone of experience; and then it was found that there was a defalcation from these monstrous raised revenues, which were to cancel in the minds of the directors the wickedness of so atrocious, flagitious, and horrid an act of treachery. At the end of five years, what do you think was the failure?—No less than £2,050,000. Then a new source of corruption was opened, that is, how to deal with the balances, for every man who had engaged in these transactions was a debtor to government, and the remission of that debt depended upon the discretion of the governor-general. Then the persons, who were to settle the composition of that immense debt, who were to see how much was recoverable, and how much not, were able to favor, or to exact to the last shilling; and there never existed a doubt but that, not only upon the original, cruel exaction, but upon the remission afterwards, immense gains were derived. This will account for the manner in which those stupendous fortunes, which astonish the world, have been made. They have been made, first, by a tyrannous

exaction from the people, who were suffered to remain in possession of their own land as farmers, then by selling the rest to farmers at rents and under hopes which could never be realized, and then getting money for the relaxation of their debts. But whatever excuse, and however wicked, there might have been for this wicked act, namely, that it carried upon the face of it some sort of appearance of public good, that is to say, that sort of public good which Mr. Hastings so often professed, of ruining the country for the benefit of the company, yet, in fact, this business of balances is that *nidus* in which have been nestled and bred and born all the corruption of India,—first, by making extravagant demands, and afterwards by making corrupt relaxations of them.

Besides this monstrous failure in consequence of a miserable exaction, by which more was attempted to be forced from the country than it was capable of yielding, and this by way of experiment, when your lordships come to inquire who the farmers-general of the revenue were, you would naturally expect to find them to be the men in the several countries, who had the most interest, the greatest wealth, the best knowledge of the revenue and resources of the country in which they lived. These would be thought the natural proper farmers-general of each district. No such thing, my lords. They are found in the body of people, whom I have mentioned to your lordships. They were almost all let to Calcutta banyans. Calcutta banyans were the farmers of almost the whole. They sub-delegated to others, who sometimes had sub-delegates under them *ad infinitum.* The whole formed a system together through the succession of black tyrants scattered through the country, in which you at last find the European at the end, sometimes, indeed, not hid very deep, not above one between him and the farmer, namely, his banyan directly, or some other black person to represent him. But some have so managed the affair, that when you inquire who the farmer is,—Was such a one farmer? No. Cantoo Baboo? No. Another? No. At last you find three deep of fictitious farmers, and you find the European gentlemen, high in place and authority, the real farmers of the settlement. So that the zemindars were dispossessed, the country racked and ruined for the benefit of a European, under the name of a farmer; for you will easily judge whether these gentlemen had fallen so deeply in love with

the banyans, and thought so highly of their merits and services, as to reward them with all the possessions of the great landed interest of the country. Your lordships are too grave, wise, and discerning, to make it necessary for me to say more upon that subject. Tell me, that the banyans of English gentlemen, dependents on them at Calcutta, were the farmers throughout, and I believe I need not tell your lordships for whose benefit they were farmers.

But there is one of these, who comes so nearly, indeed so precisely, within this observation, that it is impossible for me to pass him by. Whoever has heard of Mr. Hastings's name with any knowledge of Indian connections has heard of his banyan Cantoo Baboo. This man is well known in the records of the company as his agent for receiving secret gifts, confiscations, and presents. You would have imagined that he would at least have kept him out of these farms, in order to give the measure a color at least of disinterestedness and to show that this whole system of corruption and pecuniary oppression was carried on for the benefit of the company. The governor-general and council made an ostensible order, by which no collector or person concerned in the revenue should have any connection with these farms. This order did not include the governor-general in the words of it, but more than included him in the spirit of it; because his power to protect a farmer-general in the person of his own servant was infinitely greater than that of any subordinate person. Mr. Hastings, in breach of this order, gave farms to his own banyan. You find him the farmer of great, of vast, and extensive farms.

Another regulation that was made on that occasion was that no farmer should have, except in particular cases, which were marked, described, and accurately distinguished, a greater farm than what paid £10,000 a year to government. Mr. Hastings, who had broken the first regulation by giving any farm at all to his banyan, finding himself bolder, broke the second, too, and, instead of £10,000, gave him farms paying a revenue of £130,000 a year to the government. Men undoubtedly have been known to be under the dominion of their domestics; such things have happened to great men; they never have happened justifiably, in my opinion. They have never happened excusably; but we are acquainted sufficiently with the weakness of human nature

to know that a domestic, who has served you in a near office long, and in your opinion faithfully, does become a kind of relation; it brings on a great affection and regard for his interest. Now was this the case with Mr. Hastings and Cantoo Baboo? Mr. Hastings was just arrived at his government, and Cantoo Baboo had been but a year in his service; so that he could not in that time have contracted any great degree of friendship for him. These people do not live in your house; the Hindoo servants never sleep in it; they cannot eat with your servants; they have no second table, in which they can be continually about you, to be domesticated with yourself, a part of your being, as people's servants are to a certain degree. These persons live all abroad; they come at stated hours upon matters of business, and nothing more. But if it had been otherwise, Mr. Hastings's connection with Cantoo Baboo had been but of a year's standing; he had before served in that capacity Mr. Sykes, who recommended him to Mr. Hastings. Your lordships, then, are to judge whether such outrageous violations of all the principles, by which Mr. Hastings pretended to be guided in the settlement of these farms, were for the benefit of this old, decayed, affectionate servant of one year's standing — your lordships will judge of that.

I have here spoken only of the beginning of a great notorious system of corruption, which branched out so many ways, and into such a variety of abuses, and has afflicted that kingdom with such horrible evils from that day to this, that I will venture to say it will make one of the greatest, weightiest, and most material parts of the charge, that is now before you; as I believe I need not tell your lordships, that an attempt to set up the whole landed interest of a kingdom to auction must be attended, not only in that act, but every consequential act, with most grievous and terrible consequences.

My lords, I will now come to a scene of peculation of another kind; namely, a peculation by the direct sale of offices of justice; by the direct sale of the successions of families; by the sale of guardianships and trusts, held most sacred among the people of India; by the sale of them, not as before to farmers, not as you might imagine to near relations of the families, but a sale of them to the unfaithful servants of those families, their own perfidious servants, who had ruined their estates, who, if any balances had accrued to the government, had been the cause

of those debts. Those very servants were put in power over their estates, their persons, and their families by Mr. Hastings for a shameful price. It will be proved to your lordships in the course of this business, that Mr. Hastings has done this in another sacred trust, the most sacred trust a man can have; that is, in the case of those vackiels,—as they call them,—agents, or attorneys, who had been sent to assert and support the rights of their miserable masters before the council-general. It will be proved that these vackiels were by Mr. Hastings, for a price to be paid for it, put in possession of the very power, situation, and estates of those masters who sent them to Calcutta to defend them from wrong and violence. The selling offices of justice, the sale of succession in families, of guardianships and other sacred trusts, the selling masters to their servants, and principals to the attorneys they employed to defend themselves, were all parts of the same system; and these were the horrid ways in which he received bribes beyond any common rate.

When Mr. Hastings was appointed in the year 1773 to be governor-general of Bengal, together with Mr. Barwell, General Clavering, Colonel Monson, and Mr. Francis, the company, knowing the former corrupt state of their service,—but the whole corrupt system of Mr. Hastings at that time not being known, or even suspected at home,—did order them, in discharge of the spirit of the act of Parliament, to make an inquiry into all manner of corruptions and malversations in office, without the exception of any persons whatever. Your lordships are to know, that the act did expressly authorize the court of directors to frame a body of instructions, and to give orders to their new servants, appointed under the act of Parliament, lest it should be supposed that they, by their appointment under the act, could supersede the authority of the directors.

The directors, sensible of the power left in them over their servants by the act of Parliament, though their nomination was taken from them, did, agreeably to the spirit and power of that act, give this order.

The council consisted of two parties: Mr. Hastings and Mr. Barwell, who were chosen, and kept there, upon the idea of their local knowledge; and the other three, who were appointed on account of their great parts and known integrity. And I will venture to say, that those three gentlemen did so execute their

duty in India in all the substantial parts of it, that they will serve as a shield to cover the honor of England, whenever this country is upbraided in India.

They found a rumor running through the country of great peculations and oppressions. Soon after, when it was known what their instructions were, and that the council was ready, as is the first duty of all governors, even when there is no express order, to receive complaints against the oppressions and corruptions of government in any part of it, they found such a body — and that body shall be produced to your lordships — of corruption and peculation in every walk, in every department, in every situation of life, in the sale of the most sacred trusts, and in the destruction of the most ancient families of the country, as I believe in so short a time never was unveiled since the world began.

Your lordships would imagine that Mr. Hastings would at least ostensibly have taken some part in endeavoring to bring these corruptions before the public, or that he would, at least, have acted with some little management in his opposition. But alas! it was not in his power; there was not one, I think, but I am sure very few, of these general articles of corruption, in which the most eminent figure in the crowd, the principal figure, as it were, in the piece, was not Mr. Hastings himself. There were a great many others involved, for all departments were corrupted and vitiated. But you could not open a page, in which you did not see Mr. Hastings, or in which you did not see Cantoo Baboo. Either the black or white side of Mr. Hastings constantly was visible to the world in every part of these transactions.

With the other gentlemen, who were visible too, I have at present no dealing. Mr. Hastings, instead of using any management on that occasion, instantly set up his power and authority, directly against the majority of the council, directly against his colleagues, directly against the authority of the East India Company and the authority of the act of Parliament, to put a dead stop to all these inquiries. He broke up the council the moment they attempted to perform this part of their duty. As the evidence multiplied upon him, the daring exertions of his power in stopping all inquiries increased continually. But he gave a credit and authority to the evidence by these attempts to suppress it.

Your lordships have heard that among the body of the accusers of this corruption there was a principal man in the country, a man of the first rank and authority in it, called Nundcomar, who had the management of revenues amounting to £150,000 a year, and who had, if really inclined to play the small game with which he has been charged by his accusers, abundant means to gratify himself in playing great ones; but Mr. Hastings has himself given him, upon the records of the company, a character, which would at least justify the council in making some inquiry into charges made by him.

First, he was perfectly competent to make them, because he was in the management of those affairs, from which Mr. Hastings is supposed to have received corrupt emolument. He and his son were the chief managers in those transactions. He was, therefore, perfectly competent to it. Mr. Hastings has cleared his character; for, though it is true in the contradictions, in which Mr. Hastings has entangled himself, he has abused and insulted him, and particularly after his appearance as an accuser, yet before this he has given this testimony of him, that the hatred that had been drawn upon him, and the general obloquy of the English nation, was on account of his attachment to his own prince and the liberties of his country. Be he what he might, I am not disposed, nor have I the least occasion, to defend either his conduct or his memory.

It is to no purpose for Mr. Hastings to spend time in idle objections to the character of Nundcomar. Let him be as bad as Mr. Hastings represents him. I suppose he was a caballing, bribing, intriguing politician, like others in that country, both black and white. We know that associates in dark and evil actions are not generally the best of men; but be that as it will, it generally happens that they are the best of all discoverers. If Mr. Hastings were the accuser of Nundcomar, I should think the presumptions equally strong against Nundcomar, if he had acted as Mr. Hastings has acted. He was not only competent, but the most competent of all men to be Mr. Hastings's accuser. But Mr. Hastings has himself established both his character, and his competency, by employing him against Mahomed Reza Khân. He shall not blow hot and cold. In what respect was Mr. Hastings better than Mahomed Reza Khân, that the whole rule, principle, and system of accusation and inquiry should be totally reversed in general, nay, reversed in the particular instance, the

moment he became accuser against Mr. Hastings. Such was the accuser. He was the man that gave the bribes, and, in addition to his own evidence, offers proof by other witnesses.

What was the accusation? Was the accusation improbable, either on account of the subject-matter, or the actor in it? Does such an appointment as that of Munny Begum in the most barefaced evasion of his orders appear to your lordships a matter that contains no just presumptions of guilt, so that when a charge of bribery comes upon it, you are prepared to reject it, as if the action were so clear and proper that no man could attribute it to an improper motive? And, as to the man, is Mr. Hastings a man against whom a charge of bribery is improbable? Why, he owns it. He is a professor of it. He reduces it into scheme and system. He glories in it. He turns it to merit, and declares it is the best way of supplying the exigencies of the company. Why, therefore, should it be held improbable?— But I cannot mention this proceeding without shame and horror.

My lords, when this man appeared as an accuser of Mr. Hastings, if he was a man of bad character, it was a great advantage to Mr. Hastings to be accused by a man of that description. There was no likelihood of any great credit being given to him.

This person, who, in one of those sales, of which I have already given you some account in the history of the last period of the revolutions of Bengal, had been, or thought he had been, cheated of his money, had made some discoveries, and been guilty of that great irremissible sin in India, the disclosure of peculation. He afterwards came with a second disclosure, and was likely to have odium enough upon the occasion. He directly charged Mr. Hastings with the receipt of bribes amounting together to about £40,000 sterling, given by himself, on his own account, and that of Munny Begum. The charge was accompanied with every particular, which could facilitate proof or detection, time, place, persons, species, to whom paid, by whom received. Here was a fair opportunity for Mr. Hastings at once to defeat the malice of his enemies, and to clear his character to the world. His course was different. He railed much at the accuser, but did not attempt to refute the accusation. He refuses to permit the inquiry to go on, attempts to dissolve the council, commands his banyan not to attend. The council, however, goes on, examines to the bottom, and resolves that the charge was

proved, and that the money ought to go to the company. Mr. Hastings then broke up the council, I will not say whether legally or illegally. The company's law counsel thought he might legally do it; but he corruptly did it, and left mankind no room to judge but that it was done for the screening of his own guilt; for a man may use a legal power corruptly, and for the most shameful and detestable purposes. And thus matters continued, till he commenced a criminal prosecution against this man,—this man whom he dared not meet as a defendant.

Mr. Hastings, instead of answering the charge, attacks the accuser. Instead of meeting the man in front, he endeavored to go round, to come upon his flanks and rear, but never to meet him in the face upon the ground of his accusation, as he was bound by the express authority of law, and the express injunctions of the directors, to do. If the bribery is not admitted on the evidence of Nundcomar, yet his suppressing it is a crime—a violation of the orders of the court of directors. He disobeyed those instructions; and if it be only for disobedience, for rebellion against his masters, putting the corrupt motive out of the question, I charge him for this disobedience, and especially on account of the principles, upon which he proceeded in it.

Then he took another step; he accused Nundcomar of a conspiracy, which was a way he then and ever since has used, whenever means were taken to detect any of his own iniquities.

And here it becomes necessary to mention another circumstance of history, that the legislature, not trusting entirely to the governor-general and council, had sent out a court of justice to be a counter-security against these corruptions, and to detect and punish any such misdemeanors as might appear. And this court, I take for granted, has done great services.

Mr. Hastings flew to this court, which was meant to protect in their situations informers against bribery and corruption rather than to protect the accused from any of the preliminary methods, which must indispensably be used for the purpose of detecting their guilt; he flew to this court, charging this Nundcomar and others with being conspirators.

A man might be convicted as a conspirator, and yet afterwards live; he might put the matter into other hands, and go on with his information; nothing less than stone-dead would do the business. And here happened an odd concurrence of circumstances. Long before Nundcomar preferred his charge he knew

that Mr. Hastings was plotting his ruin, and that for this purpose he had used a man, whom he, Nundcomar, had turned out of doors, called Mohun Persaud. Mr. Hastings had seen papers put upon the board, charging him with this previous plot for the destruction of Nundcomar; and this identical person, Mohun Persaud, whom Nundcomar had charged as Mr. Hastings's associate in plotting his ruin, was now again brought forward, as the principal evidence against him. I will not enter (God forbid I should!) into the particulars of the subsequent trial of Nundcomar; but you will find the marks and characters of it to be these. You will find a close connection between Mr. Hastings and the chief-justice, which we shall prove. We shall prove that one of the witnesses who appeared there was a person who had been before, or has since been, concerned with Mr. Hastings in his most iniquitous transactions. You will find what is very odd, that in this trial for forgery, with which this man stood charged, forgery in a private transaction, all the persons who were witnesses, or parties to it, had been, before or since, the particular friends of Mr. Hastings,—in short, persons from that rabble, with whom Mr. Hastings was concerned, both before and since, in various transactions and negotiations of the most criminal kind. But the law took its course. I have nothing more to say than that the man is gone—hanged justly if you please; and that it did so happen luckily for Mr. Hastings,—it so happened, that the relief of Mr. Hastings and the justice of the court, and the resolution never to relax its rigor, did all concur just at a happy nick of time and moment; and Mr. Hastings accordingly had the full benefit of them all.

His accuser was supposed to be what men may be, and yet very competent for accusers,—namely, one of his accomplices in guilty actions, one of those persons who may have a great deal to say of bribes. All that I contend for is that he was in the closest intimacy with Mr. Hastings, was in a situation for giving bribes, and that Mr. Hastings was proved afterwards to have received a sum of money from him, which may be well referred to bribes.

This example had its use in the way in which it was intended to operate and in which alone it could operate. It did not discourage forgeries; they went on at their usual rate, neither more nor less. But it put an end to all accusations against all persons in power for any corrupt practice. Mr. Hastings observes, that

no man in India complains of him. It is generally true. The voice of all India is stopped. All complaint was strangled with the same cord that strangled Nundcomar. This murdered not only that accuser, but all future accusation; and not only defeated, but totally vitiated and reversed, all the ends for which this country, to its eternal and indelible dishonor, had sent out a pompous embassy of justice to the remotest parts of the globe.

But though Nundcomar was put out of the way by the means by which he was removed, a part of the charge was not strangled with him. Whilst the process against Nundcomar was carrying on before Sir Elijah Impey, the process was continuing against Mr. Hastings in other modes; the receipt of a part of those bribes from Munny Begum to the amount of £15,000 was proved against him; and that a sum, to the same amount, was to be paid to his associate, Mr. Middleton, as it was proved at Calcutta, so it will be proved at your lordships' bar, to your entire satisfaction, by records and living testimony now in England. It was, indeed, obliquely admitted by Mr. Hastings himself.

The excuse for this bribe, fabricated by Mr. Hastings, and taught to Munny Begum, when he found that she was obliged to prove it against him, was, that it was given to him for his entertainment, according to some pretended custom, at the rate of £200 a day, whilst he remained at Moorshedabad. My lords, this leads me to a few reflections on the apology or defense of this bribe. We shall certainly, I hope, render it clear to your lordships, that it was not paid in this manner, as a daily allowance, but given in a gross sum. But take it in his own way, it was no less illegal, and no less contrary to his covenant; but if true under the circumstances, it was a horrible aggravation of his crime. The first thing that strikes is that visits from Mr. Hastings are pretty severe things; and hospitality at Moorshedabad is an expensive virtue, though for provision it is one of the cheapest countries in the universe. No wonder that Mr. Hastings lengthened his visit, and made it extend nearly three months. Such hosts and such guests cannot be soon parted. Two hundred pounds a day for a visit! It is at the rate of £73,000 a year for himself; and, as I find his companion was put on the same allowance, it will be £146,000 a year for hospitality to two English gentlemen.

I believe that there is not a prince in Europe who goes to such expensive hospitality of splendor. But that you may judge

of the true nature of this hospitality of corruption, I must bring before you the business of the visitor, and the condition of the host, as stated by Mr. Hastings himself, who best knows what he was doing.

He was then at the old capital of Bengal, at the time of this expensive entertainment, on a business of retrenchment, and for the establishment of a most harsh, rigorous, and oppressive economy. He wishes the task were assigned to spirits of a less gentle kind. By Mr. Hastings's account, he was giving daily and hourly wounds to his humanity, in depriving of their sustenance hundreds of persons of the ancient nobility of a great fallen kingdom. Yet it was in the midst of this galling duty, it was at that very moment of his tender sensibility, that from the collected morsels plucked from the famished mouths of hundreds of decayed, indigent, and starving nobility, he gorged his ravenous maw with £200 a day for his entertainment. In the course of all this proceeding, your lordships will not fail to observe, he is never corrupt, but he is cruel; he never dines with comfort, but where he is sure to create a famine. He never robs from the loose superfluity of standing greatness; he devours the fallen, the indigent, the necessitous. His extortion is not like the generous rapacity of the princely eagle, who snatches away the living, struggling prey; he is a vulture, who feeds upon the prostrate, the dying, and the dead. As his cruelty is more shocking than his corruption, so his hypocrisy has something more frightful than his cruelty. For whilst his bloody and rapacious hand signs proscriptions, and now sweeps away the food of the widow and the orphan, his eyes overflow with tears, and he converts the healing balm, that bleeds from wounded humanity, into a rancorous and deadly poison to the race of man.

Well, there was an end to this tragic entertainment, this feast of Tantalus. The few left on the pension list, the poor remnants that had escaped, were they paid by his administratrix and deputy, Munny Begum? Not a shilling. No fewer than forty-nine petitions, mostly from the widows of the greatest and most splendid houses of Bengal, came before the council, praying in the most deplorable manner for some sort of relief out of the pittance assigned them. His colleagues, General Clavering, Colonel Monson, and Mr. Francis, men, who, when England is reproached for the government of India, will, I repeat it, as a shield be held up between this nation and infamy, did, in conformity to the

strict orders of the directors, appoint Mahomed Reza Khân to his old offices, that is, to the general superintendency of the household and the administration of justice, a person, who, by his authority, might keep some order in the ruling family and in the State. The court of directors authorized them to assure those offices to him, with a salary reduced, indeed, to £30,000 a year, during his good behavior. But Mr. Hastings, as soon as he obtained a majority by the death of the two best men ever sent to India, notwithstanding the orders of the court of directors, in spite of the public faith solemnly pledged to Mahomed Reza Khân, without a shadow of complaint, had the audacity to dispossess him of all his offices, and appoint his bribing patroness, the old dancing girl, Munny Begum, once more to the viceroyalty and all its attendant honors and functions.

The pretense was more insolent and shameless than the act. Modesty does not long survive innocence. He brings forward the miserable pageant of the nabob, as he called him, to be the instrument of his own disgrace and the scandal of his family and government. He makes him to pass by his mother, and to petition us to appoint Munny Begum once more to the administration of the viceroyalty. He distributed Mahomed Reza Khân's salary as a spoil.

When the orders of the court to restore Mahomed Reza Khân, with their opinion on the corrupt cause of his removal, and a second time to pledge to him the public faith for his continuance, were received, Mr. Hastings, who had been just before a pattern of obedience, when the despoiling, oppressing, imprisoning, and persecuting this man was the object, yet when the order was of a beneficial nature, and pleasant to a well-formed mind, he at once loses all his old principles, he grows stubborn and refractory, and refuses obedience. And in this sullen, uncomplying mood he continues, until, to gratify Mr. Francis in an agreement on some of their differences, he consented to his proposition of obedience to the appointment of the court of directors. He grants to his arrangement of convenience what he had refused to his duty, and replaces that magistrate. But mark the double character of the man, never true to anything but fraud and duplicity. At the same time that he publicly replaces this magistrate, pretending compliance with his colleague, and obedience to his masters, he did, in defiance of his own and the public faith, privately send an assurance to the nabob, that is, to

Munny Begum, informing her that he was compelled by necessity to the present arrangement in favor of Mahomed Reza Khân, but that on the first opportunity he would certainly displace him again. And he kept faith with his corruption; and to show how vainly any one sought protection in the lawful authority of this kingdom, he displaced Mahomed Reza Khân from the lieutenancy and controllership, leaving him only the judicial department miserably curtailed.

But does he adhere to his old pretense of freedom to the nabob? No such thing. He appoints an absolute master to him under the name of resident, a creature of his personal favor, Sir J. Doiley, from whom there is not one syllable of correspondence, and not one item of account. How grievous this yoke was to that miserable captive appears by a paper of Mr. Hastings, in which he acknowledges that the nabob had offered, out of the £160,000 payable to him yearly, to give up to the company no less than £40,000 a year, in order to have the free disposal of the rest. On this all comment is superfluous. Your lordships are furnished with a standard, by which you may estimate his real receipt from the revenue assigned to him, the nature of the pretended residency, and its predatory effects. It will give full credit to what was generally rumored and believed, that substantially and beneficially the nabob never received £50 out of the £160,000; which will account for his known poverty and wretchedness, and that of all about him.

Thus, by his corrupt traffic of bribes with one scandalous woman, he disgraced and enfeebled the native Mahomedan government, captived the person of the sovereign, and ruined and subverted the justice of the country. What is worse, the steps taken for the murder of Nundcomar, his accuser, have confirmed and given sanction not only to the corruptions then practiced by the governor-general, but to all of which he has since been guilty. This will furnish your lordships with some general idea, which will enable you to judge of the bribe for which he sold the country government.

Under this head you will have produced to you full proof of his sale of a judicial office to a person called Khân Jehân Khân and the modes he took to frustrate all inquiry on that subject upon a wicked and false pretense, that according to his religious scruples he could not be sworn.

The great end and object I have in view is to show the criminal tendency, the mischievous nature, of these crimes, and the means taken to elude their discovery. I am now giving your lordships that general view, which may serve to characterize Mr. Hastings's administration in all the other parts of it.

It was not true in fact, as Mr. Hastings gives out, that there was nothing now against him, and that when he had got rid of Nundcomar and his charge, he got rid of the whole. No such thing. An immense load of charges of bribery remained. They were coming afterwards from every part of the province, and there was no office in the execution of justice which he was not accused of having sold in the most flagitious manner.

After all this thundering, the sky grew calm and clear, and Mr. Hastings sat with recorded peculation, with peculation proved upon oath on the minutes of that very council; he sat at the head of that council and that board where his peculations were proved against him. These were afterwards transmitted, and recorded in the registers of his masters, as an eternal monument of his corruption and of his high disobedience and flagitious attempts to prevent a discovery of the various peculations of which he had been guilty, to the disgrace and ruin of the country committed to his care.

Mr. Hastings, after the execution of Nundcomar, if he had intended to make even a decent and commonly sensible use of it, would naturally have said: "This man is justly taken away, who has accused me of these crimes; but as there are other witnesses, as there are other means of a further inquiry, as the man is gone, of whose perjuries I might have reason to be afraid, let us now go into the inquiry." I think he did very ill not to go into the inquiry, when the man was alive; but be it so that he was afraid of him, and waited till he was removed, why not afterwards go into such an inquiry? Why not go into an inquiry of all the other peculations and charges upon him, which were innumerable, one of which I have just mentioned in particular, the charge of Munny Begum,—of having received from her, or her adopted son, a bribe of £40,000?

Is it fit for a governor to say,—will Mr. Hastings say before this august assembly: "I may be accused in a court of justice, I am upon my defense, let all charges remain against me, I will not give you an account"? Is it fit that a governor should sit

with recorded bribery upon him at the head of a public board, and the government of a great kingdom, when it is in his power by inquiry to do it away? No; the chastity of character of a man in that situation ought to be as dear to him as his innocence. Nay, more depended upon it. His innocence regarded himself, his character regarded the public justice, regarded his authority, and the respect due to the English in that country. I charge it upon him, that not only did he suppress the inquiry to the best of his power, and it shall be proved, but he did not in any one instance endeavor to clear off that imputation and reproach from the English government. He went further, he never denied hardly any of those charges at the time. They are so numerous, that I cannot be positive; some of them he might meet with some sort of denial, but the most part he did not.

The first thing a man under such an accusation owes to the world is to deny the charge; next to put it to the proof; and lastly to let inquiry freely go on. He did not permit this, but stopped it all in his power. I am to mention some exceptions perhaps hereafter, which will tend to fortify the principle tenfold.

He promised, indeed, the court of directors, to whom he never denied the facts, a full and liberal explanation of these transactions; which full and liberal explanation he never gave. Many years passed; even Parliament took notice of it; and he never gave a liberal explanation, or any explanation at all, of them. A man may say, I am threatened with a suit in a court, and it may be very disadvantageous to me, if I disclose my defense. That is a proper answer for a man in common life, who has no particular character to sustain; but is that a proper answer for a governor accused of bribery? that accusation transmitted to his masters, and his masters giving credit to it? Good God! is that a state in which a man is to say: "I am upon the defensive? I am on my guard? I will give you no satisfaction? I have promised it, but I have already deferred it for seven or eight years?" Is not this tantamount to a denial?

Mr. Hastings, with this great body of bribery against him, was providentially freed from Nundcomar, one of his accusers; and as good events do not come alone,—I think there is some such proverb,—it did so happen that all the rest, or a great many of them, ran away. But, however, the recorded evidence of the former charges continued, no new evidence came in, and Mr. Hastings enjoyed that happy repose, which branded peculation,

fixed and eternized upon the records of the company, must leave upon a mind conscious of its own integrity.

My lords, I will venture to say there is no man but owes something to his character. It is the grace, undoubtedly, of a virtuous, firm mind often to despise common vulgar calumny; but if there is an occasion in which it does become such a mind to disprove it, it is the case of being charged in high office with pecuniary malversation, pecuniary corruption. There is no case, in which it becomes an honest man — much less a great man — to leave upon record specific charges against him of corruption in his government, without taking any one step whatever to refute them.

Though Mr. Hastings took no step to refute the charges, he took many steps to punish the authors of them; and those miserable people, who had the folly to make complaints against Mr. Hastings, to make them under the authority of an act of Parliament, under every sanction of public faith, yet in consequence of those charges every person concerned in them has been, as your lordships will see, since his restoration to power, absolutely undone; brought from the highest situation to the lowest misery, so that they may have good reason to repent they ever trusted an English council, that they ever trusted a court of directors, that they ever trusted an English act of Parliament, that they ever dared to make their complaints.

And here I charge upon Mr. Hastings, that by never taking a single step to defeat, or detect the falsehood of, any of those charges against him, and by punishing the authors of them, he has been guilty of such a subversion of all the principles of British government, as will deserve, and will, I dare say, meet, your lordships' most severe animadversion.

In the course of this inquiry we find a sort of pause in his peculations, a sort of gap in the history, as if pages were torn out. No longer we meet with the same activity in taking money, that was before found; not even a trace of complimentary presents is to be found in the records during the time, whilst General Clavering, Colonel Monson, and Mr. Francis formed the majority of the council. There seems to have been a kind of truce with that sort of conduct for a while, and Mr. Hastings rested upon his arms. However, the very moment Mr. Hastings returned to power, peculation began again just at the same instant; the moment we find him free from the compulsion

and terror of a majority of persons otherwise disposed than himself, we find him at his peculation again.

My lords, at this time very serious inquiries had begun in the House of Commons concerning peculation. They did not go directly to Bengal, but they began upon the coast of Coromandel, and with the principal governors there. There was, however, a universal opinion—and justly founded—that these inquiries would go to far greater lengths. Mr. Hastings was resolved then to change the whole course and order of his proceeding. Nothing could persuade him upon any account to lay aside his system of bribery; that he was resolved to persevere in. The point was now to reconcile it with his safety. The first thing he did was to attempt to conceal it, and accordingly we find him depositing very great sums of money in the public treasury through the means of the two persons I have already mentioned, namely, the deputy treasurer and the accountant, paying them in and taking bonds for them as money of his own, and bearing legal interest.

This was his method of endeavoring to conceal some, at least, of his bribes, for I would not suggest, nor have your lordships to think, that I believe that these were his only bribes, for there is reason to think there was an infinite number besides; but it did so happen, that they were those bribes which he thought might be discovered, some of which he knew were discovered, and all of which he knew might become the subject of a parliamentary inquiry.

Mr. Hastings said he might have concealed them forever. Every one knows the facility of concealing corrupt transactions everywhere, in India particularly. But this is by himself proved not to be universally true, at least not to be true in his own opinion. For he tells you in his letter from Cheltenham, that he would have concealed the nabob's £100,000 but that the magnitude rendered it easy of discovery. He, therefore, avows an intention of concealment.

But it happens here very singularly, that this sum, which his fears of discovery by others obliged him to discover himself, happens to be one of those of which no trace whatsoever appears, except merely from the operation of his own apprehensions. There is no collateral testimony; Middleton knew nothing of it; Anderson knew nothing of it. It was not directly communicated to the faithful Larkins, or the trusty Crofts,—which proves, indeed, the facility of concealment. The fact is, you find

the application always upon the discovery. But concealment or discovery is a thing of accident.

The bribes which I have hitherto brought before your lordships belong to the first period of his bribery, before he thought of the doctrine, on which he has since defended it. There are many other bribes, which we charge him with having received during this first period, before an improving conversation and close virtuous connection with great lawyers had taught him how to practice bribes in such a manner as to defy detection, and, instead of punishment, to plead merit. I am not bound to find order and consistency in guilt; it is the reign of disorder. The order of the proceeding, as far as I am able to trace such a scene of prevarication, direct fraud, falsehood, and falsification of the public accounts, was this: From bribes he knew he could never abstain; and his then precarious situation made him the more rapacious. He knew that a few of his former bribes had been discovered, declared, recorded; that for the moment, indeed, he was secure, because all informers had been punished and all concealers rewarded. He expected hourly a total change in the council, and that men like Clavering and Monson might be again joined to Francis; that some great avenger should arise from their ashes,—*Exoriare aliquis nostris ex ossibus ultor*,—and that a more severe investigation, and an infinitely more full display, would be made of his robbery than hitherto had been done. He therefore began, in the agony of his guilt, to cast about for some device by which he might continue his offense, if possible, with impunity, and possibly make a merit of it. He therefore first carefully perused the act of Parliament, forbidding bribery, and his old covenant engaging him not to receive presents. And here he was more successful than upon former occasions. If ever an act was studiously and carefully framed to prevent bribery, it is that law of the thirteenth of the king, which he well observes admits no latitudes of construction, no subterfuge, no escape, no evasion. Yet has he found a defense of his crimes even in the very provisions which were made for their prevention and their punishment. Besides the penalty which belongs to every informer, the East India Company was invested with a fiction of property in all such bribes, in order to drag them with more facility out of the corrupt hands which held them. The covenant, with an exception of £100, and the act of Parliament without any exception, declared that the governor-general and

council should receive no presents for their own use. He therefore concluded that the system of bribery and extortion might be clandestinely and safely carried on, provided the party taking the bribes had an inward intention and mental reservation that they should be privately applied to the company's service, in any way the briber should think fit, and that on many occasions this would prove the best method of supply for the exigencies of their service.

He accordingly formed, or pretended to form, a private bribe exchequer, collateral with, and independent of, the company's public exchequer, though in some cases administered by those whom for his purposes he had placed in the regular official department. It is no wonder that he has taken to himself an extraordinary degree of merit. For surely such an invention of finance I believe never was heard of,—an exchequer wherein extortion was the assessor, fraud the cashier, confusion the accountant, concealment the reporter, and oblivion the remembrancer; in short, such as I believe no man, but one driven by guilt into frenzy, could ever have dreamed of.

He treats the official and regular directors with just contempt, as a parcel of mean, mechanical bookkeepers. He is an eccentric bookkeeper, a Pindaric accountant. I have heard of "the poet's eye in a fine frenzy rolling." Here was a revenue, exacted from whom he pleased, at what times he pleased, in what proportions he pleased, through what persons he pleased, by what means he pleased, to be accounted for or not, at his discretion, and to be applied to what service he thought proper. I do believe your lordships stand astonished at this scheme; and, indeed, I should be very loth to venture to state such a scheme at all, however I might have credited it myself, to any sober ears, if, in his defense before the House of Commons and before the lords, he had not directly admitted the fact of taking the bribes or forbidden presents, and had not in those defenses, and much more fully in his correspondence with the directors, admitted the fact, and justified it upon these very principles.

As this is a thing so unheard of and unexampled in the world, I shall first endeavor to account, as well as I can, for his motives to it, which your lordships will receive or reject, just as you shall find them tally with the evidence before you. I say, his motives to it, because I contend that public valid reasons for it he could have none, and the idea of making the corruption of

the governor-general a resource to the company never did nor could for a moment enter into his thoughts. I shall then take notice of the judicial constructions upon which he justifies his acting in this extraordinary manner. And, lastly, show you the concealments, prevarications, and falsehoods with which he endeavors to cover it, because wherever you find a concealment you make a discovery. Accounts of money received and paid ought to be regular and official.

He wrote over to the court of directors that there were certain sums of money he had received, and which were not his own, but that he had received them for their use. By this time, his intercourse with gentlemen of the law became more considerable than it had been before. When first attacked for presents, he never denied the receipt of them, or pretended to say they were for public purposes; but on looking more into the covenants, and probably with better legal advice, he found that no money could be legally received for his own use; but as these bribes were directly given and received, as for his own use, yet, says he, there was an inward destination of them in my own mind to your benefit, and to your benefit have I applied them.

Now here is a new system of bribery, contrary to law, very ingenious in the contrivance, but, I believe, as unlikely to produce its intended effect upon the mind of man as any pretense that was ever used. Here Mr. Hastings changes his ground. Before, he was accused as a peculator; he did not deny the fact; he did not refund the money; he fought it off, he stood upon the defensive, and used all the means in his power to prevent the inquiry. That was the first era of his corruption, a bold, ferocious, plain, downright use of power. In the second he is grown a little more careful and guarded, the effect of subtility. He appears no longer as a defendant, he holds himself up with a firm, dignified, and erect countenance, and says, I am not here any longer as a delinquent, a receiver of bribes, to be punished for what I have done wrong, or at least to suffer in my character for it. No, I am a great inventive genius, who have gone out of all the ordinary roads of finance, have made great discoveries in the unknown regions of that science, and have for the first time established the corruption of the supreme magistrate as a principle of resource for government.

There are crimes, undoubtedly, of great magnitude, naturally fitted to create horror, and that loudly call for punishment, that

have yet no idea of turpitude annexed to them; but unclean hands, bribery, venality, and peculation are offenses of turpitude, such as, in a governor, at once debase the person, and degrade the government itself, making it not only horrible, but vile and contemptible in the eyes of all mankind. In this humiliation and abjectness of guilt, he comes here not as a criminal on his defense, but as a vast fertile genius, who has made astonishing discoveries in the art of government,—*Dicam insigne, recens, alio indictum ore*,—who, by his flaming zeal and the prolific ardor and energy of his mind, has boldly dashed out of the common path, and served his country by new and untrodden ways; and now he generously communicates, for the benefit of all future governors, and all future governments, the grand arcanum of his long and toilsome researches. He is the first, but if we do not take good care he will not be the last, that has established the corruption of the supreme magistrate among the settled resources of the State; and he leaves this principle as a bountiful donation, as the richest deposit that ever was made in the treasury of Bengal. He claims glory and renown from that, by which every other person since the beginning of time has been dishonored and disgraced. It has been said of an ambassador, that he is a person employed to tell lies for the advantage of the court that sends him. His is patriotic bribery and public-spirited corruption. He is a peculator for the good of his country. It has been said that private vices are public benefits. He goes the full length of that position, and turns his private peculation into a public good. This is what you are to thank him for. You are to consider him as a great inventor upon this occasion. Mr. Hastings improves on this principle. He is a robber in gross, and a thief in detail; he steals, he filches, he plunders, he oppresses, he extorts, — all for the good of the dear East India Company,— all for the advantage of his honored masters, the proprietors, — all in gratitude to the dear perfidious court of directors, who have been in a practice to heap "insults on his person, slanders on his character, and indignities on his station; who never had the confidence in him that they had in the meanest of his predecessors."

If you sanction this practice, if, after all you have exacted from the people by your taxes and public imposts, you are to let loose your servants upon them to extort by bribery and peculation what they can from them, for the purpose of applying it

to the public service only whenever they please,—this shocking consequence will follow from it. If your governor is discovered in taking a bribe, he will say, "What is that to you? Mind your business, I intend it for the public service." The man who dares to accuse him loses the favor of the governor-general and the India Company. They will say the governor has been doing a meritorious action, extorting bribes for our benefit, and you have the impudence to think of prosecuting him. So that the moment the bribe is detected, it is instantly turned into a merit; and we shall prove that this is the case with Mr. Hastings, whenever a bribe has been discovered.

I am now to inform your lordships that when he made these great discoveries to the court of directors he never tells them who gave him the money, upon what occasion he received it, by what hands, or to what purposes he applied it.

When he can himself give no account of his motives, and even declares that he cannot assign any cause, I am authorized and required to find motives for him,—corrupt motives for a corrupt act. There is no one capital act of his administration that did not strongly imply corruption. When a man is known to be free from all imputation of taking money, and it becomes an established part of his character, the errors, or even crimes, of his administration ought to be, and are in general, traced to other sources. You know it is a maxim. But once convict a man of bribery in any instance, and once by direct evidence, and you are furnished with a rule of irresistible presumption, that every other irregular act, by which unlawful gain may arise, is done upon the same corrupt motive. *Semel malus præsumitur semper malus.* As for good acts, candor, charity, justice oblige me not to assign evil motives, unless they serve some scandalous purpose, or terminate in some manifest evil end, so justice, reason, and common sense compel me to suppose that wicked acts have been done upon motives correspondent to their nature. Otherwise, I reverse all the principles of judgment, which can guide the human mind, and accept even the symptoms, the marks, and criteria of guilt, as presumptions of innocence. One that confounds good and evil is an enemy to the good.

His conduct upon these occasions may be thought irrational. But, thank God, guilt was never a rational thing; it distorts all the faculties of the mind, it perverts them, it leaves a man no longer in the free use of his reason, it puts him into confusion.

He has recourse to such miserable and absurd expedients for covering his guilt as all those who are used to sit in the seat of judgment know have been the cause of detection of half the villainies in the world. To argue that these could not be his reasons, because they were not wise, sound, and substantial, would be to suppose what is not true, that bad men were always discreet and able. But I can very well from the circumstances discover motives, which may affect a giddy, superficial, shattered, guilty, anxious, restless mind, full of the weak resources of fraud, craft, and intrigue, that might induce him to make these discoveries, and to make them in the manner he has done. Not rational and well-fitted for their purposes, I am very ready to admit. For God forbid that guilt should ever leave a man the free undisturbed use of his faculties. For as guilt never rose from a true use of our rational faculties, so it is very frequently subversive of them. God forbid that prudence, the first of all the virtues, as well as the supreme director of them all, should ever be employed in the service of any of the vices. No, it takes the lead, and is never found where justice does not accompany it; and if ever it is attempted to bring it into the service of the vices, it immediately subverts their cause. It tends to their discovery, and, I hope and trust, finally to their utter ruin and destruction.

In the first place I am to remark to your lordships, that the accounts he has given of one of these sums of money are totally false and contradictory. Now, there is not a stronger presumption, nor can one want more reason, to judge a transaction fraudulent, than that the accounts given of it are contradictory; and he has given three accounts utterly irreconcilable with each other. He is asked, "How came you to take bonds for this money, if it was not your own? How came you to vitiate and corrupt the state of the company's records, and to state yourself a lender to the company, when in reality you were its debtor?" His answer was, "I really cannot tell; I have forgot my reasons; the distance of time is so great [namely, a time of about two years, or not so long] I cannot give an account of the matter; perhaps I had this motive, perhaps I had another [but what is the most curious], perhaps I had none at all, which I can now recollect." You shall hear the account which Mr. Hastings himself gives, his own fraudulent representation of these corrupt transactions. "For my motives for withholding the several receipts from the

knowledge of the council, or of the court of directors, and for taking bonds for part of these sums, and paying others into the treasury as deposits on my own account, I have generally accounted in my letter to the honorable the court of directors of the twenty-second of May, 1782, namely, that I either chose to conceal the first receipts from public curiosity by receiving bonds for the amount, or possibly acted without any studied design, which my memory, at that distance of time, could verify; and that I did not think it worth my care to observe the same means with the rest. It will not be expected that I should be able to give a more correct explanation of my intentions after a lapse of three years, having declared at the time, that many particulars had escaped my remembrance; neither shall I attempt to add more than the clearer affirmation of the facts implied in that report of them, and such inferences, as necessarily, or with a strong probability, follow them."

My lords, you see, as to any direct explanation, that he fairly gives it up; he has used artifice and stratagem, which he knows will not do, and at last attempts to cover the treachery of his conduct by the treachery of his memory. Frequent applications were made to Mr. Hastings upon this article from the company, — gentle hints, *gemitus columbæ*, — rather little amorous complaints, that he was not more open and communicative; but all these gentle insinuations were never able to draw from him any further account till he came to England. When he came here, he left not only his memory, but all his notes and references, behind in India. When in India, the company could get no account of them, because he himself was not in England; and when he was in England, they could get no account, because his papers were in India. He then sends over to Mr. Larkins to give that account of his affairs, which he was not able to give himself. Observe, here is a man taking money privately, corruptly, and which was to be sanctified by the future application of it, taking false securities to cover it, and who, when called upon to tell whom he got the money from, for what ends, and on what occasion, neither will tell in India, nor can tell in England, but sends for such an account as he has thought proper to furnish.

I am now to bring before you an account of what I think much the most serious part of the effects of his system of bribery, corruption, and peculation. My lords, I am to state to you the astonishing and almost incredible means he made use of to

lay all the country under contribution, to bring the whole into such dejection as should put his bribes out of the way of discovery. Such another example of boldness and contrivance I believe the world cannot furnish.

I have already shown amongst the mass of his corruptions, that he let the whole of the lands to farm to the banyans. Next, that he sold the whole Mahomedan government of that country to a woman. This was bold enough, one should think; but without entering into the circumstances of the revenue change in 1772, I am to tell your lordships, that he had appointed six provincial councils, each consisting of many members who had the ordinary administration of civil justice in that country, and the whole business of the collection of the revenues.

These provincial councils accounted to the governor-general and council, who, in the revenue department, had the whole management, control, and regulation of the revenue. Mr. Hastings did, in several papers to the court of directors, declare that the establishment of these provincial councils, which at first he stated only as experimental, had proved useful in the experiment. And on that use, and upon that experiment, he had sent even the plan of an act of Parliament to have it confirmed with the last and most sacred authority of this country. The court of directors desired that if he thought any other method more proper he would send it to them for their approbation.

Thus the whole face of the British government, the whole of its order and constitution, remained from 1772 to 1781. He had got rid some time before this period, by death, of General Clavering; by death, of Colonel Monson; and by vexation and persecution, and his consequent dereliction of authority, he had shaken off Mr. Francis. The whole council consisting only of himself and Mr. Wheler, he, having the casting vote, was in effect the whole council; and if ever there was a time when principle, decency, and decorum rendered it improper for him to do any extraordinary acts without the sanction of the court of directors, that was the time. Mr. Wheler was taken off, despair, perhaps, rendering the man, who had been in opposition futilely before, compliable. The man is dead. He certainly did not oppose him; if he had, it would have been in vain. But those very circumstances which rendered it atrocious in Mr. Hastings to make any change induced him to make this. He thought that a moment's time was not to be lost,—that the other colleagues might come,

when he might be overpowered by a majority again, and not able to pursue his corrupt plans. Therefore he was resolved,— your lordships will remark the whole of this most daring and systematic plan of bribery and peculation,—he resolved to put it out of the power of his council in the future to check or control him in any of his evil practices.

The first thing he did was to form an ostensible council at Calcutta for the management of the revenues, which was not effectually bound, except it thought fit, to make any reference to the supreme council. He delegated to them — that is, to four covenanted servants — those functions which, by act of Parliament and the company's orders, were to be exercised by the council-general; he delegated to four gentlemen, creatures of his own, his own powers, but he laid them out to good interest. It appears odd that one of the first acts of a governor-general, so jealous of his power as he is known to be, as soon as he had all the power in his own hands, should be to put all the revenues out of his own control. This, upon the first view, is an extraordinary proceeding. His next step was, without apprizing the court of directors of his intention, or without having given an idea of any such intention to his colleagues while alive, either those who died in India, or those who afterwards returned to Europe, in one day, in a moment, to annihilate the whole authority of the provincial councils, and to delegate the whole power to these four gentlemen. These four gentlemen had for their secretary an agent given them by Mr. Hastings; a name that you will often hear of, a name at the sound of which all India turns pale,—the most wicked, the most atrocious, the boldest, the most dexterous villain, that ever the rank of servitude of that country has produced. My lords, I am speaking with the most assured freedom, because there never was a friend of Mr. Hastings, there never was a foe of Mr. Hastings, there never was any human person, that ever differed on this occasion, or expressed any other idea of Gunga Govin Sing, the friend of Mr. Hastings, whom he intrusted with this important post. But you shall hear, from the account given by themselves, what the council thought of their functions, of their efficiency for the charge, and in whose hands that efficiency really was. I beg, hope, and trust, that your lordships will learn from the persons themselves, who were appointed to execute the office, their opinion of the real execution of it, in order that you may judge

of the plan, for which he destroyed the whole English administration in India. "The committee must have a dewan, or executive officer, call him by what name you please. This man in fact has all the revenue, paid at the presidency, at his disposal and can, if he has any abilities, bring all the renters under contribution. It is little advantage to restrain the committee themselves from bribery or corruption, when their executive officer has the power of practicing both undetected.

"To display the arts employed by a native on such occasions would fill a volume. He discovers the secret resources of the zemindars and renters, their enemies and competitors; and by the engines of hope and fear, raised upon these foundations, he can work them to his purpose. The committee, with the best intentions, best abilities, and steadiest application, must, after all, be a tool in the hands of their dewan."

Your lordships see what the opinion of the council was of their own constitution. You see for what it was made. You see for what purpose the great revenue trust was taken from the council-general, from the supreme government. You see for what purposes the executive power was destroyed. You have it from one of the gentlemen of this commission, at first four in number, and afterwards five, who was the most active efficient member of it. You see it was made for the purpose of being a tool in the hands of Gunga Govin Sing; that integrity, ability, and vigilance, could avail nothing; that the whole country might be laid under contribution by this man, and that he could thus practice bribery with impunity. Thus, your lordships see the delegation of all the authority of the country, above and below, is given by Mr. Hastings to this Gunga Govin Sing. The screen, the veil spread before this transaction, is torn open by the very people themselves, who are the tools in it. They confess they can do nothing; they know they are instruments in the hands of Gunga Govin Sing; and Mr. Hastings uses his name and authority to make them such in the hands of the basest, the wickedest, the corruptest, the most audacious and atrocious villain ever heard of. It is to him all the English authority is sacrificed, and four gentlemen are appointed to be his tools and instruments. Tools and instruments for what? They themselves state, that, if he has the inclination, he has the power and ability to lay the whole country under contribution, that he enters into the most minute secrets of every individual in it, gets into the

bottom of their family affairs, and has a power totally to subvert and destroy them; and we shall show upon that head that he well fulfilled the purposes for which he was appointed. Did Mr. Hastings pretend to say that he destroyed the provincial councils for their corruptness or insufficiency, when he dissolved them? No; he says he has no objection to their competency, no charge to make against their conduct, but that he has destroyed them for his new arrangement. And what is his new arrangement? Gunga Govin Sing. Forty English gentlemen were removed from their offices by that change. Mr. Hastings did it, however, very economically; for all these gentlemen were instantly put upon pensions, and consequently burdened the establishment with a new charge. Well, but the new council was formed and constituted upon a very economical principle also. These five gentlemen, you will have it in proof, with the necessary expenses of their office, were a charge of £62,000 a year upon the establishment. But for great, eminent, capital services, £62,000, though a much larger sum than what was thought fit to be allowed for the members of the supreme council itself, may be admitted. I will pass it. It shall be granted to Mr. Hastings, that these pensions, though they created a new burden on the establishment, were all well disposed, provided the council did their duty. But you have heard what they say themselves,— they are not there put to do any duty, they can do no duty; their abilities, their integrity availed them nothing, they are tools in the hands of Gunga Govin Sing. Mr. Hastings, then, has loaded the revenue with £62,000 a year to make Gunga Govin Sing master of the kingdom of Bengal, Bahar, and Orissa. What must the thing to be moved be, when the machinery, when the necessary tools for Gunga Govin Sing, have cost £62,000 a year to the company? There it is; it is not my representation,—not the representation of observant strangers, of good and decent people that understand the nature of that service,—but the opinion of the tools themselves.

Now, did Mr. Hastings employ Gunga Govin Sing without a knowledge of his character? His character was known to Mr. Hastings; it was recorded long before, when he was turned out of another office. During my long residence, says he, in this country, this is the first time I heard of the character of Gunga Govin Sing being infamous. No information I have received, though I have heard many people speak ill of him, ever

pointed to any particular act of infamy committed by Gunga Govin Sing. I have no intimate knowledge of Gunga Govin Sing. What I understand of his character has been from Europeans as well as natives. After—"He had many enemies at the time he was proposed to be employed in the company's service, and not one advocate among the natives who had immediate access to myself. I think, therefore, if his character had been such as has been described, the knowledge of it could hardly have failed to have been ascertained to me by the specific facts. I have heard him loaded, as I have many others, with general reproaches, but have never heard any one express a doubt of his abilities." Now, if anything in the world should induce you to put the whole trust of the revenues of Bengal, both above and below, into the hands of a single man, and to delegate to him the whole jurisdiction of the country, it must be that he either was, or at least was reputed to be, a man of integrity. Mr. Hastings does not pretend that he is reputed to be a man of integrity. He knew that he was not able to contradict the charge brought against him; and that he had been turned out of office by his colleagues, for reasons assigned upon record, and approved by the directors, for malversation in office. He had, indeed, crept again into the Calcutta committee; and they were upon the point of turning him out for malversation, when Mr. Hastings saved them the trouble by turning out the whole committee, consisting of a president and five members. So that in all times, in all characters, in all places, he stood as a man of a bad character and evil repute, though supposed to be a man of great abilities.

My lords, permit me for one moment to drop my representative character here, and to speak to your lordships only as a man of some experience in the world, and conversant with the affairs of men and with the characters of men.

I do then declare my conviction, and wish it may stand recorded to posterity, that there never was a bad man, that had ability for good service. It is not in the nature of such men; their minds are so distorted to selfish purposes, to knavish, artificial, and crafty means of accomplishing those selfish ends, that if put to any good service, they are poor, dull, helpless. Their natural faculties never have that direction,—they are paralytic on that side; the muscles, if I may use the expression, that ought to move it, are all dead. They know nothing, but how to

pursue selfish ends by wicked and indirect means. No man ever knowingly employed a bad man on account of his abilities, but for evil ends. Mr. Hastings knew this man to be bad; all the world knew him to be bad; and how did he employ him? In such a manner as that he might be controlled by others? A great deal might be said for him, if this had been the case. There might be circumstances, in which such a man might be used in a subordinate capacity. But who ever thought of putting such a man virtually in possession of the whole authority, both of the committee and the council-general, and of the revenues of the whole country?

I will do Mr. Hastings the justice to say, that if he had known there was another man more accomplished in all iniquity than Gunga Govin Sing he would not have given him the first place in his confidence. But there is another next to him in the country, whom you are to hear of by and by, called Debi Sing. This person in the universal opinion of all Bengal is ranked next to Gunga Govin Sing; and, what is very curious, they have been recorded by Mr. Hastings as rivals in the same virtues.

«Arcades ambo,
Et cantare pares, et respondere parati.»

But Mr. Hastings has the happiest modes in the world; these rivals were reconciled on this occasion, and Gunga Govin Sing appoints Debi Sing, superseding all the other officers for no reason whatever upon record. And because, like champions, they ought to go in pairs, there is an English gentleman, one Mr. Goodlad, whom you will hear of presently, appointed along with him. Absolute strangers to the rajah's family, the first act they do is to cut off one thousand out of one thousand six hundred a month from his allowance. They state, though there was a great number of dependents to maintain, that six hundred would be enough to maintain him. There appears in the account of these proceedings to be such a flutter about the care of the rajah, and the management of his household — in short, that there never was such a tender guardianship as, always with the knowledge of Mr. Hastings, is exercised over this poor rajah, who had just given, if he did give, £40,000 for his own inheritance, if it was his due, — for the inheritance of others, if it was not his due. One would think he was entitled to some mercy; but probably, because the money could not otherwise be supplied, his establishment was cut down

by Debi Sing and Mr. Goodlad a thousand a month, which is just twelve thousand a year.

When Mr. Hastings had appointed those persons to the guardianship who had an interest in the management of the rajah's education and fortune, one should have thought, before they were turned out, he would at least have examined whether such a step was proper or not. No, they were turned out, without any such examination; and when I come to inquire into the proceedings of Gunga Govin Sing's committee, I do not find that the new guardians have brought to account one single shilling they received, appointed as they were by that council newly made to superintend all the affairs of the rajah.

There is not one word to be found of an account. Debi Sing's honor, fidelity, and disinterestedness, and that of Mr. Goodlad, is sufficient; and that is the way in which the management and superintendence of one of the greatest houses in that country is given to the guardianship of strangers. And how is it managed? We find Debi Sing in possession of the rajah's family, in possession of his affairs, in the management of his whole zemindary; and in the course of the next year he is to give him in farm the whole of the revenues of these three provinces. Now, whether the peshcush was received for the nomination of the rajah, as a bribe in judgment, or whether Mr. Hastings got it from Debi Sing, as a bribe in office, for appointing him to the guardianship of a family that did not belong to him, and for the dominion of three great, and once wealthy, provinces — which is best or worst I shall not pretend to determine. You find the rajah in his possession; you find his education, his household in his possession. The public revenues are in his possession; they are given over to him.

If we look at the records, the letting of these provinces appears to have been carried on by the new committee of revenue, as the course and order of business required it should. But by the investigation into Mr. Hastings's money transactions, the insufficiency and fallacy of these records is manifest beyond a doubt. From this investigation it is discovered that it was in reality a bargain secretly struck between the governor-general and Debi Sing, and that the committee were only employed in the mere official forms. From the time that Mr. Hastings newly modeled the revenue system, nothing is seen in its true shape. We now know, in spite of the fallacy of these records, who the

true grantor was; it will not be amiss to go a little further in supplying their defects, and to inquire a little concerning the grantee. This makes it necessary for me to inform your lordships who Debi Sing is.

[Mr. Burke here read the committee's recommendation of Debi Sing to the governor-general and council.]

Here is a choice, here is Debi Sing presented for his knowledge in business, his trust, and fidelity, and that he is a person against whom no objection can be made. This is presented to Mr. Hastings, by him recorded in the council books, and by him transmitted to the court of directors. Mr. Hastings has since recorded that he knew this Debi Sing,—though he here publicly authorizes the nomination of him to all that great body of trusts,—that he knew him to be a man completely capable of the most atrocious iniquities that were ever charged upon man. Debi Sing is appointed to all those great trusts through the means of Gunga Govin Sing, from whom he, Mr. Hastings, had received £30,000 as a part of a bribe.

Now, though it is a large field, though it is a thing that, I must confess, I feel a reluctance almost in venturing to undertake, exhausted as I am, yet such is the magnitude of the affair, such the evil consequences that followed from a system of bribery, such the horrible consequences of superseding all the persons in office in the country to give it into the hands of Debi Sing, that though it is the public opinion, and though no man that has ever heard the name of Debi Sing does not know that he was only second to Gunga Govin Sing, yet it is not to my purpose, unless I prove that Mr. Hastings knew his character at the very time he accepts him as a person against whom no exception could be made.

It is necessary to inform your lordship who this Debi Sing was, to whom these great trusts were committed, and those great provinces given.

It may be thought, and not unnaturally, that in this sort of corrupt and venal appointment to high trust and office, Mr. Hastings has no other consideration than the money he received. But whoever thinks so will be deceived. Mr. Hastings was very far from indifferent to the character of the persons he dealt with. On the contrary, he made a most careful selection; he had a very scrupulous regard to the aptitude of the men for the

purposes for which he employed them, and was much guided by his experience of their conduct in those offices which had been sold to them upon former occasions.

Except Gunga Govin Sing, whom, as justice required, Mr. Hastings distinguished by the highest marks of his confidence, there was not a man in Bengal, perhaps not upon earth, a match for this Debi Sing. He was not an unknown subject; not one rashly taken up as an experiment. He was a tried man; and if there had been one more desperately and abandonedly corrupt, more wildly and flagitiously oppressive, to be found unemployed in India, large as his offers were, Mr. Hastings would not have taken this money from Debi Sing.

Debi Sing was one of those who, in the early stages of the English power in Bengal, attached himself to those natives who then stood high in office. He courted Mahomed Reza Khân, a Mussulman of the highest rank, of the tribe of Koreish, whom I have already mentioned, then at the head of the revenue, and now at the head of the criminal justice of Bengal, with all the supple assiduity, of which those who possess no valuable art or useful talent are commonly complete masters. Possessing large funds acquired by his apprenticeship and novitiate in the lowest frauds, he was enabled to lend to this then powerful man, in the several emergencies of his variable fortune, very large sums of money. This great man had been brought down by Mr. Hastings, under the orders of the court of directors, upon a cruel charge, to Calcutta. He was accused of many crimes, and acquitted, £220,000 in debt. That is to say, as soon as he was a great debtor, he ceased to be a great criminal.

Debi Sing obtained, by his services, no slight influence over Mahomed Reza Khân, a person of a character very different from his.

From that connection he was appointed to the farm of the revenue, and inclusively of the government of Purnea, a province of very great extent, and then in a state of no inconsiderable opulence. In this office he exerted his talents with so much vigor and industry, that in a very short time the province was half depopulated and totally ruined.

The farm, on the expiration of his lease, was taken by a set of adventurers in this kind of traffic from Calcutta. But when the new undertakers came to survey the object of their future operations and future profits, they were so shocked at the hideous

and squalid scenes of misery and desolation that glared upon them in every quarter, that they instantly fled out of the country, and thought themselves but too happy to be permitted, on the payment of a penalty of £12,000, to be released from their engagements.

To give in a few words as clear an idea as I am able to give of the immense volume which might be composed of the vexations, violence, and rapine of that tyrannical administration, the territorial revenue of Purnea, which had been let to Debi Sing at the rate of £160,000 sterling a year, was with difficulty leased for a yearly sum under £90,000, and with all rigor of exaction produced in effect little more than £60,000, falling greatly below one-half of its original estimate. So entirely did the administration of Debi Sing exhaust all the resources of the province. So totally did his baleful influence blast the very hope and spring of all future revenue.

The administration of Debi Sing was too notoriously destructive not to cause a general clamor. It was impossible that it should be passed over without animadversion. Accordingly, in the month of September 1772, Mr. Hastings, then at the head of the committee of circuit, removed him for maladministration, and he has since publicly declared on record, that he knew him to be capable of all the most horrid and atrocious crimes that can be imputed to man.

This brand, however, was only a mark for Mr. Hastings to find him out hereafter in the crowd; to identify him for his own; and to call him forth into action, when his virtues should be sufficiently matured for the services, in which he afterwards employed him through his instruments, Mr. Anderson and Gunga Govin Sing. In the meantime he left Debi Sing to the direction of his own good genius.

Debi Sing was stigmatized in the company's records, his reputation was gone, but his funds were safe. In the arrangement made by Mr. Hastings in the year 1773, by which provincial councils were formed, Debi Sing became deputy steward or secretary, soon in effect and influence principal steward, to the provincial council of Moorshedabad, the seat of the old government, and the first province of the kingdom; and to his charge were committed various extensive and populous provinces, yielding an annual revenue of one hundred and twenty lacs of rupees, or £1,500,000. This division of provincial council included

Rungpore, Edrackpore, and others, where he obtained such a knowledge of their resources as subsequently to get possession of them.

Debi Sing found this administration composed mostly of young men, dissipated and fond of pleasure, as is usual at that time of life, but desirous of reconciling those pleasures, which usually consume wealth, with the means of making a great and speedy fortune, at once eager candidates for opulence and perfect novices in all the roads that lead to it. Debi Sing commiserated their youth and inexperience, and took upon him to be their guide.

There is a revenue in that country, raised by a tax more productive than laudable. It is an imposition on public prostitutes, a duty upon the societies of dancing girls; those seminaries, from which Mr. Hastings has selected an administrator of justice and governor of kingdoms. Debi Sing thought it expedient to farm this tax, not only because he neglected no sort of gain, but because he regarded it as no contemptible means of power and influence. Accordingly, in plain terms, he opened a legal brothel, out of which he carefully reserved — you may be sure — the very flower of his collection for the entertainment of his young superiors; ladies recommended not only by personal merit, but, according to the Eastern custom, by sweet and enticing names, which he had given them. For, if they were to be translated they would sound: — Riches of my Life, Wealth of my Soul, Treasure of Perfection, Diamond of Splendor, Pearl of Price, Ruby of Pure Blood, and other metaphorical descriptions, that, calling up dissonant passions to enhance the value of the general harmony, heightened the attractions of love with the allurements of avarice. A moving seraglio of these ladies always attended his progress, and were always brought to the splendid and multiplied entertainments, with which he regaled his council. In these festivities, whilst his guests were engaged with the seductions of beauty, the intoxications of the most delicious wines of France, and the voluptuous vapor of perfumed India smoke, uniting the vivid satisfactions of Europe with the torpid blandishments of Asia, the great magician himself, chaste in the midst of dissoluteness, sober in the centre of debauch, vigilant in the lap of negligence and oblivion, attended with an eagle's eye the moment for thrusting in business, and at such times was able to carry without difficulty points of shameful enormity, which at

other hours he would not so much as have dared to mention to his employers, young men rather careless and inexperienced than intentionally corrupt. Not satisfied with being pander to their pleasures, he anticipated, and was purveyor to, their wants, and supplied them with a constant command of money; and by these means he reigned with an uncontrolled dominion over the province and over its governors.

For you are to understand that in many things we are very much misinformed with regard to the true seat of power in India. Whilst we were proudly calling India a British government, it was in substance a government of the lowest, basest, and most flagitious of the native rabble, to whom the far greater part of the English, who figured in employment and station, had from their earliest youth been slaves and instruments. Banyans had anticipated the period of their power in premature advances of money, and have ever after obtained the entire dominion over their nominal masters.

By these various ways and means, Debi Sing contrived to add job to job, employment to employment, and to hold, besides the farms of two very considerable districts, various trusts in the revenue; sometimes openly appearing; sometimes hid two or three deep in false names; emerging into light, or shrouding himself in darkness, as successful, or defeated crimes rendered him bold or cautious. Every one of these trusts was marked with its own fraud; and for one of those frauds committed by him in another name, by which he became deeply in balance to the revenue, he was publicly whipped by proxy.

All this while Mr. Hastings kept his eye upon him, and attended to his progress. But, as he rose in Mr. Hastings's opinion, he fell in that of his immediate employers. By degrees, as reason prevailed and the fumes of pleasure evaporated, the provincial council emerged from their first dependence, and, finding nothing but infamy attending the councils and services of such a man, resolved to dismiss him. In this strait and crisis of his power, the artist turned himself into all shapes. He offered great sums individually; he offered them collectively; and at last put a *carte blanche* on the table — all to no purpose! What! are you stones? — Have I not men to deal with? — Will flesh and blood refuse me?

When Debi Sing found that the council had entirely escaped, and were proof against his offers, he left them with a sullen and

menacing silence. He applied where he had good intelligence that these offers would be well received, and that he should at once be revenged of the council, and obtain all the ends which through them he had sought in vain.

Without hesitation or scruple, Mr. Hastings sold a set of innocent officers; sold his fellow-servants of the company, entitled by every duty to his protection; sold English subjects, recommended by every tie of national sympathy; sold the honor of the British government itself; without charge, without complaint, without allegation of crime in conduct, or of insufficiency in talents. He sold them to the most known and abandoned character which the rank servitude of that clime produces. For him, he entirely broke and quashed the council of Moorshedabad, which had been the settled government for twelve years,—a long period in the changeful history of India,—at a time, too, when it had acquired a great degree of consistency, an official experience, a knowledge and habit of business, and was making full amends for early errors.

For now Mr. Hastings, having buried Colonel Monson and General Clavering, and having shaken off Mr. Francis, who retired half dead from office, began at length to respire; he found elbow-room once more to display his genuine nature and disposition, and to make amends in a riot and debauch of peculation for the forced abstinence to which he was reduced during the usurped dominion of honor and integrity.

It was not enough that the English were thus sacrificed to the revenge of Debi Sing. It was necessary to deliver over the natives to his avarice. By the intervention of bribe brokerage, he united the two great rivals in iniquity, who before, from an emulation of crimes, were enemies to each other, Gunga Govin Sing and Debi Sing. He negotiated the bribe and the farm of the latter through the former, and Debi Sing was invested in farm for two years with the three provinces of Dinagepore, Edrackpore, and Rungpore,—territories, making together a tract of land superior in dimensions to the northern counties of England, Yorkshire included.

To prevent anything which might prove an obstacle on the full swing of his genius, he removed all the restraints which had been framed to give an ostensible credit, to give some show of official order to the plans of revenue administration framed from time to time in Bengal. An officer, called a dewan, had been

established in the provinces, expressly as a check on the person who should act as farmer-general. This office he conferred along with that of farmer-general on Debi Sing, in order that Debi might become an effectual check upon Sing; and thus these provinces, without inspection, without control, without law, and without magistrates, were delivered over by Mr. Hastings, bound hand and foot, to the discretion of the man, whom he had before recorded as the destroyer of Purnea, and capable of every most atrocious wickedness that could be imputed to man.

Fatally for the natives of India, every wild project and every corrupt sale of Mr. Hastings, and those whose example he followed, is covered with a pretended increase of revenue to the company. Mr. Hastings would not pocket his bribe of £40,000 for himself without letting the company in as a sharer and accomplice. For the province of Rungpore, the object to which I mean in this instance to confine your attention, £7,000 a year were added. But lest this avowed increase of rent should seem to lead to oppression, great and religious care was taken in the covenant, so stipulated with Debi Sing that this increase should not arise from any additional assessment whatsoever on the country, but solely from improvements in the cultivation and the encouragement to be given to the landholder and husbandman. But as Mr. Hastings's bribe of a far greater sum was not guarded by any such provision, it was left to the discretion of the donor in what manner he was to indemnify himself for it.

Debi Sing fixed the seat of his authority at Dinagepore, where as soon as he arrived he did not lose a moment in doing his duty. If Mr. Hastings can forget his covenant, you may easily believe that Debi Sing had not a more correct memory, and, accordingly, as soon as he came into the province, he instantly broke every covenant which he had entered into, as a restraint on his avarice, rapacity, and tyranny, which, from the highest of the nobility and gentry to the lowest husbandman, were afterwards exercised with a stern and unrelenting impartiality upon the whole people. For, notwithstanding the province before Debi Sing's lease was, from various causes, in a state of declension, and in balance for the revenue of the preceding year, at his very first entrance into office he forced from the zemindars or landed gentry an enormous increase of their tribute. They refused compliance. On this refusal he threw the whole body of zemindars into prison, and thus in bonds and fetters compelled

them to sign their own ruin by an increase of rent, which they knew they could never realize.

Having thus gotten them under, he added exaction to exaction, so that every day announced some new and varied demand, until, exhausted by these oppressions, they were brought to the extremity to which he meant to drive them,—the sale of their lands.

The lands held by the zemindars of that country are of many descriptions. The first and most general are those that pay revenue. The others are of the nature of demesne lands, which are free and pay no rent to government. The latter are for the immediate support of the zemindars and their families, as from the former they derive their influence, authority, and the means of upholding their dignity. The lands of the former description were immediately attached, sequestered, and sold for the most trifling consideration. The rent-free lands, the best and richest lands of the whole province, were sold—sold for—what do your lordships think? They were sold for less than one year's purchase,—at less than one year's purchase, at the most underrated value; so that the fee simple of an English acre of rent-free land sold at the rate of seven or eight shillings. Such a sale on such terms strongly indicated the purchaser. And how did it turn out in fact? The purchaser was the very agent and instrument of Mr. Hastings, Debi Sing himself. He made the exaction; he forced the sale; he reduced the rate; and he became the purchaser at less than one year's purchase, and paid with the very money which he had extorted from the miserable vendors.

When he had thus sold and separated these lands, he united the whole body of them, amounting to about £7,000 a year (but according to the rate of money and living in that country equivalent to a rental in England of £30,000 a year); and then having raised in the new letting, as on the sale he had fraudulently reduced those lands, he reserved them as an estate for himself, or to whomsoever resembling himself Mr. Hastings should order them to be disposed.

The lands, thus sold for next to nothing, left, of course, the late landholder still in debt. The failure of fund, the rigorous exaction of debt, and the multiplication of new arbitrary taxes next carried off the goods. There is a circumstance attending this business, which will call for your lordships' pity. Most of the landholders or zemindars in that country happened at that

time to be women. The sex there is in a state certainly resembling imprisonment, but guarded as a sacred treasure with all possible attention and respect. None of the coarse male hands of the law can reach them; but they have a custom, very cautiously used in all good governments there, of employing female bailiffs, or sergeants, in the execution of the law, where that sex is concerned. Guards, therefore, surrounded the houses, and then female sergeants and bailiffs entered into the habitations of these female zemindars, and held their goods and persons in execution, nothing being left but, what was daily threatened, their life and honor. The landholders, even women of eminent rank and condition, for such the greater part of the zemindars then were, fled from the ancient seats of their ancestors and left their miserable followers and servants, who in that country are infinitely numerous, without protection and without bread. The monthly installment of Mr. Hastings's bribe was become due, and his rapacity must be fed from the vitals of the people.

The zemindars, before their own flight, had the mortification of seeing all the lands assigned to charitable and to religious uses, the humane and pious foundations of themselves and their ancestors, made to support infirmity and decrepitude, to give feet to the lame and eyes to the blind, and to effect which they had deprived themselves of many of the enjoyments of life, cruelly sequestered and sold at the same market of violence and fraud, where their demesne possessions and their goods had been before made away with. Even the lands and funds set aside for their funeral ceremonies, in which they hoped to find an end to their miseries, and some indemnity of imagination for all the substantial sufferings of their lives; even the very feeble consolations of death were by the same rigid hand of tyranny, a tyranny more consuming than the funeral pile, more greedy than the grave, and more inexorable than death itself, seized and taken to make good the honor of corruption and the faith of bribery pledged to Mr. Hastings or his instruments.

Thus it fared with the better and middling orders of the people. Were the lower, the more industrious, spared? Alas! as their situation was far more helpless, their oppression was infinitely more sore and grievous, the exactions yet more excessive, the demand yet more vexatious, more capricious, more arbitrary. To afford your lordships some idea of the condition of those who were served up to satisfy Mr. Hastings's hunger and thirst

for bribes, I shall read it to you in the very words of the representative tyrant himself, Rajah Debi Sing. Debi Sing, when he was charged with a fraudulent sale of the ornaments of gold and silver of women, who, according to the modes of that country, had starved themselves to decorate their unhappy persons, argued on the improbability of this part of the charge, in these very words:—

"It is notorious," says he, "that poverty generally prevails amongst the husbandmen of Rungpore, more perhaps than in any other parts of the country. They are seldom possessed of any property, except at the time they reap their harvest; and at others, barely procure their subsistence. And this is the cause that such numbers of them were swept away by the famine. Their effects are only a little earthenware, and their houses only a handful of straw, the sale of a thousand of which would not perhaps produce twenty shillings."

These were the opulent people from whose superfluities Mr. Hastings was to obtain a gift of £40,000 over and above a large increase of rent, over and above the exactions by which the farmer must reimburse himself for the advance of the money, by which he must obtain the natural profit of the farm, as well as supply the peculium of his own avarice.

Therefore your lordships will not be surprised at the consequences. All this unhappy race of little farmers and tillers of the soil were driven like a herd of cattle by his extortioners, and compelled by imprisonments, by fetters, and by cruel whippings, to engage for more than the whole of their substance or possible acquisition.

Over and above this, there was no mode of extortion which the inventive imagination of rapacity could contrive, that was not contrived and was not put in practice. On its own day your lordships will hear with astonishment, detestation, and horror, the detail of these tyrannous inventions; and it will appear that the aggregate of these superadded demands amounted to as great a sum as the whole of the compulsory rent on which they were piled.

The country being in many parts left wholly waste, and in all parts considerably depopulated by the first rigors, the full rate of the district was exacted from the miserable survivors. Their burdens were increased as their fellow-laborers, to whose

joint efforts they were to owe the means of payment, diminished. Driven to make payments, beyond all possible calculation, previous to receipts and above their means, in a very short time they fell into the hands of usurers.

The usurers, who under such a government held their own funds by a precarious tenure, and were to lend to those whose substance was still more precarious,—to the natural hardness and austerity of that race of men,—had additional motives to extortion, and made their terms accordingly. And what were the terms these poor people were obliged to consent to, to answer the bribes and peshcush paid to Mr. Hastings? Five, ten, twenty, forty cent.? No! at an interest of six hundred per cent. per annum, payable by the day! A tiller of land to pay six hundred per cent., to discharge the demands of government! What exhaustless fund of opulence could supply this destructive resource of wretchedness and misery? Accordingly, the husbandman ground to powder between the usurer below and the oppressor above, the whole crop of the country was forced at once to market; and the market glutted, overcharged, and suffocated, the price of grain fell to the fifth part of its usual value. The crop was then gone, but the debt remained. A universal treasury extent, and process of execution, followed on the cattle and stock, and was enforced, with more or less rigor, in every quarter. We have it in evidence that in those sales five cows were sold for not more than seven or eight shillings. All other things were depreciated in the same proportion. The sale of the instruments of husbandry succeeded to that of the corn and stock. Instances there are, where, all other things failing, the farmers were dragged from the court to their houses in order to see them first plundered and then burned down before their faces. It was not a rigorous collection of revenue, it was a savage war made upon the country.

The peasants were left little else than their families and their bodies. The families were disposed of. It is a known observation that those who have the fewest of all other worldly enjoyments are the most tenderly attached to their children and wives. The most tender of parents sold their children at market. The most fondly jealous of husbands sold their wives. The tyranny of Mr. Hastings extinguished every sentiment of father, son, brother, and husband.

I come now to the last stage of their miseries; everything visible and vendible was seized and sold. Nothing but the bodies remained.

It is the nature of tyranny and rapacity never to learn moderation from the ill success of first oppressions; on the contrary, all oppressors, all men thinking highly of the methods dictated by their nature, attribute the frustration of their desires to the want of sufficient rigor. Then they redouble the efforts of their impotent cruelty, which producing, as they must ever produce, new disappointments, they grow irritated against the objects of their rapacity; and then rage, fury, and malice,— implacable because unprovoked,— recruiting and reinforcing their avarice, their vices are no longer human. From cruel men they are transformed into savage beasts, with no other vestiges of reason left but what serves to furnish the inventions and refinements of ferocious subtlety, for purposes of which beasts are incapable and at which fiends would blush.

Debi Sing and his instruments suspected, and in a few cases they suspected justly, that the country people had purloined from their own estates, and had hidden in secret places in the circumjacent deserts, some small reserve of their own grain to maintain themselves during the unproductive months of the year, and to leave some hope for a future season. But the under-tyrants knew that the demands of Mr. Hastings would admit no plea for delay, much less for subtraction of his bribe, and that he would not abate a shilling of it to the wants of the whole human race. These hoards, real or supposed, not being discovered by menaces and imprisonment, they fell upon the last resource, the naked bodies of the people. And here, my lords, began such a scene of cruelties and tortures as I believe no history has ever presented to the indignation of the world; such as I am sure, in the most barbarous ages, no politic tyranny, no fanatic persecution has ever yet exceeded. Mr. Patterson, the commissioner appointed to inquire into the state of the country, makes his own apology and mine for opening this scene of horrors to you, in the following words: "The punishments inflicted upon the ryots of Rungpore and Dinagepore for nonpayment were in many instances of such a nature that I would rather wish to draw a veil over them than shock your feelings by the detail. But however disagreeable the task may be to myself, it is absolutely necessary for the sake of justice, humanity, and the honor of

government that they should be exposed, to be prevented in future."

My lords, they began by winding cords round the fingers of the unhappy freeholders of those provinces, until they clung to and were almost incorporated with one another, and then they hammered wedges of iron between them, until, regardless of the cries of the sufferers, they had bruised to pieces and forever crippled those poor, honest, innocent, laborious hands, which had never been raised to their mouths but with a penurious and scanty proportion of the fruits of their own soil; but those fruits, denied to the wants of their own children, have for more than fifteen years past furnished the investment for our trade with China, and been sent annually out, and without recompense, to purchase for us that delicate meal with which your lordships, and all this auditory, and all this country, have begun every day for these fifteen years at their expense. To those beneficent hands that labor for our benefit, the return of the British government has been cords and hammers and wedges. But there is a place where these crippled and disabled hands will act with resistless power. What is it that they will not pull down when they are lifted to heaven against their oppressors? Then what can withstand such hands? Can the power that crushed and destroyed them? Powerful in prayer, let us at least deprecate, and thus endeavor to secure ourselves from the vengeance which those mashed and disabled hands may pull down upon us. My lords, it is an awful consideration. Let us think of it.

But to pursue this melancholy but necessary detail. I am next to open to your lordships, what I am hereafter to prove, that the most substantial and leading yeomen, the responsible farmers, the parochial magistrates, and chiefs of villages, were tied two and two by the legs together, and their tormentors, throwing them with their heads downwards over a bar, beat them on the soles of the feet with ratans until the nails fell from the toes, and then attacking them at their heads, as they hung downward, as before at their feet, they beat them with sticks and other instruments of blind fury until the blood gushed out at their eyes, mouths, and noses.

Not thinking that the ordinary whips and cudgels, even so administered, were sufficient to others,—and often also to the same, who had suffered as I have stated,—they applied, instead of ratan and bamboo, whips made of the branches of the bale

tree, a tree full of sharp and strong thorns which tear the skin and lacerate the flesh far worse than ordinary scourges.

For others, exploring with a searching and inquisitive malice, stimulated by an insatiate rapacity, all the devious paths of nature for whatever is most unfriendly to man, they made rods of a plant highly caustic and poisonous, called *bechettea*, every wound of which festers and gangrenes, adds double and treble to the present torture, leaves a crust of leprous sores upon the body, and often ends in the destruction of life itself.

At night these poor innocent sufferers, these martyrs of avarice and extortion, were brought into dungeons; and in the season when nature takes refuge in insensibility from all the miseries and cares which wait on life, they were three times scourged, and made to reckon the watches of the night by periods and intervals of torment. They were then led out in the severe depth of winter, which there at certain seasons would be severe to any one, and to the Indians is most severe and almost intolerable,—they were led out before break of day, and, stiff and sore as they were with the bruises and wounds of the night, were plunged into water, and whilst their jaws clung together with the cold, and their bodies were rendered infinitely more sensible, the blows and stripes were renewed upon their backs; and then, delivering them over to soldiers, they were sent into their farms and villages to discover where a few handfuls of grain might be found concealed, or to extract some loan from the remnants of compassion and courage not subdued in those who had reason to fear that their own turn of torment would be next, that they should succeed them in the same punishment and that their very humanity, being taken as a proof of their wealth, would subject them—as it did in many cases subject them—to the same inhuman tortures. After this circuit of the day through their plundered and ruined villages, they were remanded at night to the same prison; whipped, as before, at their return to the dungeon, and at morning whipped at their leaving it; and then sent as before to purchase, by begging in the day, the reiteration of the torture in the night. Days of menace, insult, and extortion; nights of bolts, fetters, and flagellation succeeded to each other in the same round, and for a long time made up all the vicissitude of life to these miserable people.

But there are persons whose fortitude could bear their own suffering; there are men who are hardened by their very pains;

and the mind, strengthened even by the torments of the body, rises with a strong defiance against its oppressor. They were assaulted on the side of their sympathy. Children were scourged almost to death in the presence of their parents. This was not enough. The son and father were bound close together, face to face, and body to body, and in that situation cruelly lashed together, so that the blow, which escaped the father, fell upon the son, and the blow, which missed the son, wound over the back of the parent. The circumstances were combined by so subtle a cruelty, that every stroke, which did not excruciate the sense, should wound and lacerate the sentiments and affections of nature.

On the same principle and for the same ends, virgins, who had never seen the sun, were dragged from the inmost sanctuaries of their houses, and in the open court of justice, in the very place where security was to be sought against all wrong and all violence,—but where no judge or lawful magistrate had long sat, but in their place the ruffians and hangmen of Warren Hastings occupied the bench,—these virgins, vainly invoking heaven and earth, in the presence of their parents, and whilst their shrieks were mingled with the indignant cries and groans of all the people, publicly were violated by the lowest and wickedest of the human race. Wives were torn from the arms of their husbands, and suffered the same flagitious wrongs, which were, indeed, hid in the bottoms of the dungeons, in which their honor and their liberty were buried together. Often they were taken out of the refuge of this consoling gloom, stripped naked, and thus exposed to the world, and then cruelly scourged; and in order that cruelty might riot in all the circumstances that melt into tenderness the fiercest natures, the nipples of their breasts were put between the sharp and elastic sides of cleft bamboos. Here, in my hand, is my authority; for otherwise one would think it incredible. But it did not end there. Growing from crime to crime, ripened by cruelty for cruelty, these fiends, at length outraging sex, decency, nature, applied lighted torches and slow fire — I cannot proceed for shame and horror! These infernal furies planted death in the source of life, and where that modesty, which, more than reason, distinguishes men from beasts, retires from the view, and even shrinks from expression, there they exercised and glutted their unnatural, monstrous, and nefarious cruelty,—there, where the reverence of nature and the sanctity of justice dares not to pursue, nor venture to describe their practices.

These, my lords, were sufferings which we feel all in common in India and in England, by the general sympathy of our common nature. But there were in that province — sold to the tormentors by Mr. Hastings — things done, which, from the peculiar manners of India, were even worse than all I have laid before you, as the dominion of manners, and the law of opinion, contribute more to their happiness and misery than anything in mere sensitive nature can do.

The women thus treated lost their caste. My lords, we are not here to commend or blame the institutions and prejudices of a whole race of people, radicated in them by a long succession of ages, on which no reason or argument, on which no vicissitudes of things, no mixtures of men, or foreign conquest, have been able to make the smallest impression. The aboriginal Gentû inhabitants are all dispersed into tribes or castes; each caste born to an invariable rank, rights, and descriptions of employment, so that one caste cannot by any means pass into another. With the Gentûs certain impurities or disgraces, though without any guilt of the party, infer loss of caste; and when the highest caste, that of Brahmin, which is not only noble but sacred, is lost, the person who loses it does not slide down into one lower but reputable — he is wholly driven from all honest society. All the relations of life are at once dissolved. His parents are no longer his parents; his wife is no longer his wife; his children, no longer his, are no longer to regard him as their father. It is something far worse than complete outlawry, complete attainder, and universal excommunication. It is a pollution even to touch him; and if he touches any of his old caste, they are justified in putting him to death. Contagion, leprosy, plague, are not so much shunned. No honest occupation can be followed. He becomes an *Halichore*, if, which is rare, he survives that miserable degradation.

Upon those whom all the shocking catalogue of tortures I have mentioned could not make to flinch, one of the modes of losing caste for Brahmins, and other principal tribes, was practiced. It was to harness a bullock at the court door, put the Brahmin on his back, and lead him through the towns, with drums beating before him. To intimidate others, this bullock, with drums, the instruments according to their ideas of outrage, disgrace, and utter loss of caste, was led through the country, and as it advanced, the country fled before it. When

any Brahmin was seized he was threatened with this pillory, and for the most part he submitted in a moment to whatever was ordered. What it was may be thence judged. But when no possibility existed of complying with the demand, the people, by their cries, sometimes prevailed on the tyrants to have it commuted for cruel scourging, which was accepted as mercy. To some Brahmins this mercy was denied, and the act of indelible infamy executed. Of these men one came to the company's commissioner with the tale, and ended with these melancholy words: "I have suffered this indignity; my caste is lost; my life is a burden to me; I call for justice." He called in vain.

Your lordships will not wonder that these monstrous and oppressive demands, exacted with such tortures, threw the whole province into despair. They abandoned their crops on the ground. The people in a body would have fled out of its confines, but bands of soldiers invested the avenues of the province, and, making a line of circumvallation, drove back those wretches, who sought exile, as a relief, into the prison of their native soil. Not suffered to quit the district, they fled to the many wild thickets, which oppression had scattered through it, and sought amongst the jungles and dens of tigers a refuge from the tyranny of Warren Hastings. Not able long to exist here, pressed at once by wild beasts and famine, the same despair drove them back; and seeking their last resource in arms, the most quiet, the most passive, the most timid of the human race, rose up in a universal insurrection, and, what will always happen in popular tumults, the effects of the fury of the people fell on the meaner and sometimes the reluctant instruments of the tyranny, who, in several places, were massacred. The insurrection began in Rungpore, and soon spread its fire to the neighboring provinces which had been harassed by the same person with the same oppressions. The English chief in that province had been the silent witness, most probably the abettor and accomplice, of all these horrors. He called in first irregular, and then regular, troops, who, by dreadful and universal military execution, got the better of the impotent resistance of unarmed and undisciplined despair. I am tired with the detail of the cruelties of peace. I spare you those of a cruel and inhuman war and of the executions, which, without law or process, or even the shadow of authority, were ordered by the English revenue chief in that province.

It has been necessary to lay these facts before you,—and I have stated them to your lordships far short of their reality, partly through my infirmity, and partly on account of the odiousness of the task of going through things that disgrace human nature,—that you may be enabled fully to enter into the dreadful consequences which attend a system of bribery and corruption in a governor-general. On a transient view, bribery is rather a subject of disgust than horror; the sordid practice of a venal, mean, and abject mind; and the effect of the crime seems to end with the act. It looks to be no more than the corrupt transfer of property from one person to another; at worst a theft. But it will appear in a very different light when you regard the consideration for which the bribe is given, namely, that a governor-general, claiming an arbitrary power in himself, for that consideration delivers up the properties, the liberties, and the lives of a whole people to the arbitrary discretion of any wicked and rapacious person who will be sure to make good from their blood the purchase he has paid for his power over them. It is possible that a man may pay a bribe merely to redeem himself from some evil. It is bad, however, to live under a power whose violence has no restraint except in its avarice. But no man ever paid a bribe for a power to charge and tax others, but with a view to oppress them. No man ever paid a bribe for the handling of the public money, but to peculate from it. When once such offices become thus privately and corruptly venal, the very worst men will be chosen,—as Mr. Hastings has in fact constantly chosen the very worst,—because none but those who do not scruple the use of any means, are capable, consistently with profit, to discharge at once the rigid demands of a severe public revenue and the private bribes of a rapacious chief magistrate. Not only the worst men will be thus chosen, but they will be restrained by no dread whatsoever in the execution of their worst oppressions. Their protection is sure. The authority that is to restrain, to control, to punish them is previously engaged; he has his retaining fee for the support of their crimes. Mr. Hastings never dared, because he could not, arrest oppression in its course, without drying up the source of his own corrupt emolument. Mr. Hastings never dared, after the fact, to punish extortion in others, because he could not, without risking the discovery of bribery in himself. The same corruption, the same

oppression, and the same impunity will reign through all the subordinate gradations.

A fair revenue may be collected without the aid of wicked, violent, and unjust instruments. But when once the line of just and legal demand is transgressed, such instruments are of absolute necessity, and they comport themselves accordingly. When we know that men must be well paid — and they ought to be well paid — for the performance of honorable duty, can we think that men will be found to commit wicked, rapacious, and oppressive acts with fidelity and disinterestedness, for the sole emolument of dishonest employers? No; they must have their full share of the prey, and the greater share as they are the nearer and more necessary instruments of the general extortion. We must not therefore flatter ourselves, when Mr. Hastings takes £40,000 in bribes for Dinagepore and its annexed provinces, that from the people nothing more than £40,000 is extorted. I speak within compass, four times forty must be levied on the people; and these violent sales, fraudulent purchases, confiscations, inhuman and unutterable tortures, imprisonment, irons, whips, fines, general despair, general insurrection, the massacre of the officers of revenue by the people, the massacre of the people by the soldiery, and the total waste and destruction of the finest provinces in India, are things of course; and all a necessary consequence involved in the very substance of Mr. Hastings's bribery.

I therefore charge Mr. Hastings with having destroyed, for private purposes, the whole system of government by the six provincial councils, which he had no right to destroy.

I charge him with having delegated to others that power which the act of Parliament had directed him to preserve unalienably in himself.

I charge him with having formed a committee to be mere instruments and tools, at the enormous expense of £62,000 per annum.

I charge him with having appointed a person their dewan, to whom these Englishmen were to be subservient tools, whose name, to his own knowledge, was by the general voice of India, by the general recorded voice of the company, by recorded official transactions, by everything that can make a man known, abhorred, detested, and stamped with infamy, and with giving him the whole power, which he had thus separated from the council-general, and from the provincial councils.

I charge him with taking bribes of Gunga Govin Sing.

I charge him with not having done that bribe-service, which fidelity even in iniquity requires at the hands of the worst of men.

I charge him with having robbed those people of whom he took the bribes.

I charge him with having fraudulently alienated the fortunes of widows.

I charge him with having, without right, title, or purchase, taken the lands of orphans and given them to wicked persons under him.

I charge him with having removed the natural guardians of a minor rajah, and with having given that trust to a stranger, Debi Sing, whose wickedness was known to himself and all the world, and by whom the rajah, his family, and dependants, were cruelly oppressed.

I charge him with having committed to the management of Debi Sing three great provinces, and thereby with having wasted the country, ruined the landed interest, cruelly harassed the peasants, burned their houses, seized their crops, tortured and degraded their persons, and destroyed the honor of the whole female race of that country.

In the name of the Commons of England, I charge all this villainy upon Warren Hastings, in this last moment of my application to you.

My lords, what is it that we want here to a great act of national justice? Do we want a cause, my lords? You have the cause of oppressed princes, of undone women of the first rank, of desolated provinces, and of wasted kingdoms.

Do you want a criminal, my lords? When was there so much iniquity ever laid to the charge of any one? No, my lords, you must not look to punish any other such delinquent from India. Warren Hastings has not left substance enough in India to nourish such another delinquent.

My lords, is it a prosecutor you want? You have before you the Commons of Great Britain as prosecutors; and, I believe, my lords, that the sun, in his beneficent progress round the world, does not behold a more glorious sight than that of men, separated from a remote people by the material bounds and barriers of nature, united by the bond of a social and moral community,—all the Commons of England resenting, as their own, the

indignities and cruelties that are offered to all the people of India.

Do we want a tribunal? My lords, no example of antiquity, nothing in the modern world, nothing in the range of human imagination, can supply us with a tribunal like this. My lords, here we see virtually in the mind's eye that sacred majesty of the Crown, under whose authority you sit, and whose power you exercise. We see in that invisible authority, what we all feel in reality and life, the beneficent powers and protecting justice of his Majesty. We have here the heir apparent to the Crown, such as the fond wishes of the people of England wish an heir apparent of the Crown to be. We have here all the branches of the royal family in a situation between majesty and subjection, between the sovereign and the subject, offering a pledge in that situation for the support of the rights of the Crown and the liberties of the people, both which extremities they touch. My lords, we have a great hereditary peerage here; those, who have their own honor, the honor of their ancestors, and of their posterity, to guard, and who will justify, as they have always justified, that provision in the Constitution by which justice is made an hereditary office. My lords, we have here a new nobility, who have risen and exalted themselves by various merits, by great military services which have extended the fame of this country from the rising to the setting sun. We have those, who by various civil merits and various civil talents have been exalted to a situation, which they well deserve, and in which they will justify the favor of their sovereign and the good opinion of their fellow-subjects, and make them rejoice to see those virtuous characters, that were the other day upon a level with them, now exalted above them in rank, but feeling with them in sympathy what they felt in common with them before. We have persons exalted from the practice of the law, from the place in which they administered high, though subordinate, justice, to a seat here, to enlighten with their knowledge and to strengthen with their votes those principles which have distinguished the courts in which they have presided.

My lords, you have here also the lights of our religion; you have the bishops of England. My lords, you have that true image of the primitive church in its ancient form, in its ancient ordinances, purified from the superstitions and the vices which a long succession of ages will bring upon the best institutions.

You have the representatives of that religion which says that their God is love, that the very vital spirit of their institution is charity,—a religion, which so much hates oppression, that when the God whom we adore appeared in human form, he did not appear in a form of greatness and majesty, but in sympathy with the lowest of the people, and thereby made it a firm and ruling principle that their welfare was the object of all government, since the person, who was the Master of Nature, chose to appear himself in a subordinate situation. These are the considerations which influence them, which animate them, and will animate them against all oppression, knowing that he who is called first among them and first among us all, both of the flock that is fed and of those who feed it, made himself "the servant of all."

My lords, these are the securities which we have in all the constituent parts of the body of this House. We know them, we reckon, we rest upon them, and commit safely the interests of India and of humanity into your hands. Therefore, it is with confidence, that, ordered by the Commons,

I impeach Warren Hastings, Esquire, of high crimes and misdemeanors.

I impeach him in the name of the Commons of Great Britain in Parliament assembled, whose parliamentary trust he has betrayed.

I impeach him in the name of all the Commons of Great Britain, whose national character he has dishonored.

I impeach him in the name of the people of India, whose laws, rights, and liberties he has subverted; whose properties he has destroyed; whose country he has laid waste and desolate.

I impeach him in the name, and by virtue, of those eternal laws of justice which he has violated.

I impeach him in the name of human nature itself, which he has cruelly outraged, injured, and oppressed in both sexes, in every age, rank, situation, and condition of life.

AGAINST COERCING AMERICA

(From the Speech Moving Resolutions for Conciliation, House of Commons, March 22d, 1775)

America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art will, of course, have some predilection for it. Those who wield the thunder of the State may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favor of prudent management than of force, considering force not as an odious, but a feeble, instrument for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connection with us.

First, sir, permit me to observe, that the use of force alone is but temporary. It may subdue for a moment, but it does not remove the necessity of subduing again; and a nation is not governed which is perpetually to be conquered.

My next objection is its uncertainty. Terror is not always the effect of force; and an armament is not a victory. If you do not succeed you are without resource, for conciliation failing, force remains, but force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness, but they can never be begged as alms by an impoverished and defeated violence.

A further objection to force is, that you impair the object by your very endeavors to preserve it. The thing you fought for is not the thing which you recover; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me than whole America. I do not choose to consume its strength along with our own, because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict, and still less in the midst of it. I may escape; but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the American spirit, because it is the spirit that has made the country.

Lastly, we have no sort of experience in favor of force as an instrument in the rule of our colonies. Their growth and their utility have been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so; but we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it, and our sin far more salutary than our penitence.

These, sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated.

But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce,—I mean its temper and character. In this character of the Americans a love of freedom is the predominating feature, which marks and distinguishes the whole; and, as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies, probably, than in any other people of the earth, and this from a variety of powerful causes, which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

First, the people of the colonies are descendants of Englishmen. England, sir, is a nation which still, I hope, respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are, therefore, not only devoted to liberty, but to liberty according to English ideas and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object, and every nation has formed to itself some favorite point which, by way of eminence, becomes the criterion of their happiness. It happened you know, sir, that the great contests for freedom in this country were, from the earliest times, chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned

primarily on the right of election of magistrates, or on the balance among the several orders of the State. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens and most eloquent tongues have been exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English constitution to insist on this privilege of granting money as a dry point of fact and to prove that the right had been acknowledged in ancient parchments and blind usages to reside in a certain body called the House of Commons. They went much further: they attempted to prove — and they succeeded — that in theory it ought to be so, from the particular nature of a House of Commons, as an immediate representative of the people, whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that, in all monarchies, the people must, in effect, themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their lifeblood, those ideas and principles, their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe or might be endangered in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and, as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy, indeed, to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination that they, as well as you, had an interest in these common principles.

They were further confirmed in these pleasing errors by the form of their provincial legislative assemblies. Their governments are popular in a high degree; some are merely popular; in all, the popular representative is the most weighty; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments and with a strong aversion from whatever tends to deprive them of their chief importance.

If anything were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is in no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are Protestants, and of that kind which is most averse to all implicit submission of mind and opinion. This is a persuasion not only favorable to liberty, but built upon it. I do not think, sir, that the reason of this averseness in the dissenting churches from all that looks like absolute government is so much to be sought in their religious tenets as in their history. Every one knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails, that it has generally gone hand in hand with them, and received great favor and every kind of support from authority. The Church of England, too, was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All Protestantism, even the most cold and passive, is a kind of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance; it is the dissidence of dissent, and the protestantism of the Protestant religion. This religion, under a variety of denominations, agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces, where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing, most probably, the tenth of the people. The colonists left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners which has been constantly flowing into these colonies has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner that some gentlemen object to the latitude of this description, because in the southern colonies the Church of England forms a large body and has a regular establishment. It is certainly true. There is, however,

a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks, among them, like something that is more noble and liberal. I do not mean, sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and these people of the southern colonies are much more strongly, and with a higher and more stubborn spirit, attached to liberty than those to the northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such, in our days, were the Poles, and such will be all masters of slaves, who are not slaves themselves. In such a people the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, sir, to add another circumstance in our colonies, which contributes no mean part toward the growth and effect of this untractable spirit — I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful; and in most provinces it takes the lead. The greater number of the deputies sent to Congress were lawyers. But all who read, and most do read, endeavor to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's 'Commentaries' in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states that all the people in his government are lawyers, or smatterers in law, and that in Boston they have been enabled, by successful chicane, wholly to evade many parts of one of your capital

penal constitutions. The smatterers of debate will say that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honorable and learned friend on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honors and great emoluments do not win over this knowledge to the service of the State, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defense, full of resources. In other countries, the people, more simple and of a less mercurial cast, judge of an ill principle in government only by an actual grievance. Here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll and months pass between the order and the execution, and the want of a speedy explanation of a single point is enough to defeat the whole system. You have, indeed, "winged ministers" of vengeance, who carry your bolts in their pouches to the remotest verge of the sea. But there a power steps in that limits the arrogance of raging passion and furious elements, and says: "So far shalt thou go, and no farther." Who are you, that should fret and rage, and bite the chains of nature? Nothing worse happens to you than does to all nations who have extensive empire; and it happens in all the forms into which empire can be thrown. In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt and Arabia and Koordistan as he governs Thrace, nor has he the same dominion in Crimea and Algiers which he has at Broosa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all, and the whole of the force and vigor of his authority in

his centre is derived from a prudent relaxation in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed as you are in yours. She complies too; she submits; she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

PRINCIPLE IN POLITICS

(From the Speech to the Electors of Bristol)

They tell us that those of our fellow-citizens whose chains we had a little relaxed are enemies to liberty and our free Constitution,— not enemies, I presume, to their own liberty. And as to the Constitution, until we give them some share in it, I do not know on what pretense we can examine into their opinions about a business in which they have no interest or concern. But, after all, are we equally sure that they are adverse to our Constitution as that our statutes are hostile and destructive to them? For my part, I have reason to believe, their opinions and inclinations in that respect are various, exactly like those of other men. And if they lean more to the Crown than I, and than many of you think we ought, we must remember that he who aims at another's life is not to be surprised if he flies into any sanctuary that will receive him. The tenderness of the executive power is the natural asylum of those upon whom the laws have declared war; and to complain that men are inclined to favor the means of their own safety is so absurd that one forgets the injustice in the ridicule.

I must fairly tell you that, so far as my principles are concerned,— principles that I hope will depart only with my last breath,— I have no idea of a liberty unconnected with honesty and justice. Nor do I believe that any good constitutions of government or of freedom can find it necessary for their security to doom any part of the people to a permanent slavery. Such a constitution of freedom, if such can be, is in effect no more than another name for the tyranny of the strongest faction; and factions in republics have been, and are, fully as capable as monarchs, of the most cruel oppression and injustice. It is but too true, that the love, and even the very idea, of genuine liberty is extremely rare. It is but too true, that there are many, whose whole scheme of freedom is made up of pride, perverseness, and

insolence. They feel themselves in a state of thraldom, they imagine that their souls are cooped and cabined in, unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them descends to those who are the very lowest of all — and a Protestant cobbler, debased by his poverty, but exalted by his share of the ruling church, feels a pride in knowing it is by his generosity alone, that the peer, whose footman's instep he measures, is able to keep his chaplain from a jail. This disposition is the true source of the passion which many men in very humble life have taken to the American War. Our subjects in America; our colonies; our dependants. This lust of party power is the liberty they hunger and thirst for; and this siren song of ambition has charmed ears that one would have thought were never organized to that sort of music.

This way of proscribing the citizens by denominations and general descriptions, dignified by the name of reason of state, and security for constitutions and commonwealths, is nothing better at bottom than the miserable invention of an ungenerous ambition, which would fain hold the sacred trust of power, without any of the virtues or any of the energies that give a title to it; a receipt of policy, made up of a detestable compound of malice, cowardice, and sloth. They would govern men against their will, but in that government they would be discharged from the exercise of vigilance, providence, and fortitude; and therefore, that they may sleep on their watch, they consent to take some one division of the society into partnership of the tyranny over the rest. But let government, in what form it may be, comprehend the whole in its justice, and restrain the suspicious by its vigilance; let it keep watch and ward; let it discover by its sagacity, and punish by its firmness, all delinquency against its power, whenever delinquency exists in the overt acts; and then it will be as safe as ever God and nature intended it should be. Crimes are the acts of individuals, and not of denominations, and therefore arbitrarily to class men under general descriptions, in order to proscribe and punish them in a lump for a presumed delinquency, of which perhaps but a part, perhaps none at all, are guilty, is indeed a compendious method, and saves a world of trouble about proof; but such a method, instead of being law, is an act of unnatural rebellion against the legal dominion of reason

and justice, and this vice, in any constitution that entertains it, at one time or other, will certainly bring on its ruin.

We are told that this is not a religious persecution, and its abettors are loud in disclaiming all severities on account of conscience. Very fine, indeed! then let it be so! they are not persecutors; they are only tyrants. With all my heart. I am perfectly indifferent concerning the pretexts upon which we torment one another; or whether it be for the constitution of the Church of England, or for the constitution of the State of England, that people choose to make their fellow-creatures wretched. When we were sent into a place of authority, you that sent us had yourselves but one commission to give. You could give us none to wrong or oppress, or even to suffer any kind of oppression or wrong, on any grounds whatsoever; not on political, as in the affairs of America; not on commercial, as in those of Ireland; not in civil, as in the laws for debt; not in religious, as in the statutes against Protestant or Catholic dissenters. The diversified but connected fabric of universal justice is well cramped and bolted together in all its parts; and depend upon it, I never have employed, and I never shall employ, any engine of power which may come into my hands, to wrench it asunder. All shall stand, if I can help it, and all shall stand connected. After all, to complete this work, much remains to be done; much in the East, much in the West. But great as the work is, if our will be ready, our powers are not deficient.

Since you have suffered me to trouble you so much on this subject, permit me, gentlemen, to detain you a little longer. I am, indeed, most solicitous to give you perfect satisfaction. I find there are some of a better and softer nature than the persons with whom I have supposed myself in debate, who neither think ill of the act of relief, nor by any means desire the repeal, not accusing but lamenting what was done, on account of the consequences, have frequently expressed their wish that the late act had never been made. Some of this description, and persons of worth, I have met with in this city. They conceive that the prejudices, whatever they might be, of a large part of the people, ought not to have been shocked; that their opinions ought to have been previously taken, and much attended to, and that thereby the late horrid scenes might have been prevented.

I confess my notions are widely different, and I never was less sorry for any action of my life. I like the bill the better, on account of the events of all kinds that followed it. It relieved the real sufferers; it strengthened the state; and, by the disorders that ensued, we had clear evidence that there lurked a temper somewhere, which ought not to be fostered by the laws. No ill consequences whatever could be attributed to the act itself. We knew beforehand, or we were poorly instructed, that toleration is odious to the intolerant; freedom to oppressors; property to robbers; and all kinds and degrees of prosperity to the envious. We knew that all these kinds of men would gladly gratify their evil dispositions under the sanction of law and religion, if they could; if they could not, yet, to make way to their objects, they would do their utmost to subvert all religion and all law. This we certainly knew. But knowing this, is there any reason, because thieves break in and steal, and thus bring detriment to you, and draw ruin on themselves, that I am to be sorry that you are in possession of shops, and of warehouses, and of wholesome laws to protect them? Are you to build no houses, because desperate men may pull them down upon their own heads? Or, if a malignant wretch will cut his own throat because he sees you give alms to the necessitous and deserving, shall his destruction be attributed to your charity, and not to his own deplorable madness? If we repent of our good actions, what, I pray you, is left for our faults and follies? It is not the beneficence of the laws, it is the unnatural temper which beneficence can fret and sour, that is to be lamented. It is this temper which, by all rational means, ought to be sweetened and corrected. If froward men should refuse this cure, can they vitiate anything but themselves? Does evil so react upon good, as not only to retard its motion, but to change its nature? If it can so operate, then good men will always be in the power of the bad; and virtue, by a dreadful reverse of order, must lie under perpetual subjection and bondage to vice.

As to the opinion of the people, which some think, in such cases, is to be implicitly obeyed, nearly two years' tranquillity, which followed the act and its instant imitation in Ireland, proved abundantly that the late horrible spirit was, in a great measure, the effect of insidious art and perverse industry and gross misrepresentation. But suppose that the dislike had been

much more deliberate and much more general than I am persuaded it was. When we know that the opinions of even the greatest multitudes are the standard of rectitude, I shall think myself obliged to make those opinions the masters of my conscience. But if it may be doubted whether Omnipotence itself is competent to alter the essential constitution of right and wrong, sure I am that such things as they and I are possessed of no such power. No man carries further than I do the policy of making government pleasing to the people. But the widest range of this politic complaisance is confined within the limits of justice. I would not only consult the interests of the people, but I would cheerfully gratify their humors. We are all a sort of children that must be soothed and managed. I think I am not austere or formal in my nature. I would bear, I would even myself play my part in, any innocent buffooneries to divert them. But I never will act the tyrant for their amusement. If they will mix malice in their sports I shall never consent to throw them any living, sentient creature whatsoever; no, not so much as a kitling to torment.

"But if I profess all this impolitic stubbornness, I may chance never to be elected into Parliament." It is certainly not pleasing to be put out of the public service. But I wish to be a member of Parliament, to have my share of doing good and resisting evil. It would, therefore, be absurd to renounce my objects in order to obtain my seat. I deceive myself, indeed, most grossly, if I had not much rather pass the remainder of my life hidden in the recesses of the deepest obscurity, feeding my mind even with the visions and imaginations of such things, than to be placed on the most splendid throne of the universe, tantalized with a denial of the practice of all which can make the greatest situation any other than the greatest curse. Gentlemen, I have had my day. I can never sufficiently express my gratitude to you for having set me in a place wherein I could lend the slightest help to great and laudable designs. If I have had my share in any measure giving quiet to private property and private conscience; if by my vote I have aided in securing to families the best possession, peace; if I have joined in reconciling kings to their subjects, and subjects to their prince; if I have assisted to loosen the foreign holdings of the citizen, and taught him to look for his protection to the laws of his country, and for

his comfort to the good-will of his countrymen; — if I have thus taken my part with the best of men in the best of their actions, I can shut the book. I might wish to read a page or two more, but this is enough for my measure, — I have not lived in vain.

And now, gentlemen, on this serious day, when I come, as it were, to make up my account with you, let me take to myself some degree of honest pride on the nature of the charges that are against me. I do not here stand before you accused of venality, or of neglect of duty. It is not said, that, in the long period of my service, I have, in a single instance, sacrificed the slightest of your interests to my ambition, or to my fortune. It is not alleged that to gratify any anger or revenge of my own, or of my party, I have had a share in wronging or oppressing any description of men, or any one man in any description. No! the charges against me are all of one kind, that I have pushed the principles of general justice and benevolence too far; further than a cautious policy would warrant; and further than the opinions of many would go along with me. In every accident which may happen through life, in pain, in sorrow, in depression, and in distress, I will call to mind this accusation, and be comforted.

MARIE ANTOINETTE

(Born, 1755; beheaded, 1793. Burke saw her in 1773)

It is now sixteen or seventeen years since I saw the Queen of France, then the Dauphiness, at Versailles; and surely never lighted on this orb, which she hardly seemed to touch, a more delightful vision. I saw her just above the horizon, decorating and cheering the elevated sphere she had just begun to move in, glittering like the morning star, full of life and splendor and joy. O, what a revolution! and what a heart must I have, to contemplate without emotion that elevation and that fall! Little did I dream, when she added titles of veneration to those of enthusiastic, distant, respectful love, that she should ever be obliged to carry the sharp antidote against disgrace concealed in that bosom; little did I dream that I should have lived to see such disasters fallen upon her, in a nation of gallant men, in a nation of men of honor, and of cavaliers! I thought ten thousand swords must have leaped from their scabbards, to avenge even a look that threatened her with insult.

But the age of chivalry is gone; that of sophisters, economists, and calculators has succeeded, and the glory of Europe is extinguished forever. Never, never more, shall we behold that generous loyalty to rank and sex, that proud submission, that dignified obedience, that subordination of the heart, which kept alive, even in servitude itself, the spirit of an exalted freedom! The unbought grace of life, the cheap defense of nations, the nurse of manly sentiment and heroic enterprise is gone. It is gone, that sensibility of principle, that chastity of honor, which felt a stain like a wound, which inspired courage whilst it mitigated ferocity, which ennobled whatever it touched, and under which vice itself lost half its evil, by losing all its grossness.

ANSON BURLINGAME

(1820–1870)

FAMOUS as the principal negotiator of the Burlingame Treaty, the reputation of Anson Burlingame as an orator depends on a single speech, which because of its far-reaching consequences will always be memorable in American history. His denunciation of the assault on Senator Sumner by Preston S. Brooks, of South Carolina, gave him celebrity and opened for him the way to the prominence he afterwards achieved as a diplomat.

From 1850 until 1880, free speech in America illustrated its worst tendencies towards license. Vituperation was carried to an almost incredible extreme in the minor newspapers, which simply reflected the general demand for strong expressions of popular feeling. Public men, influenced by the same causes which controlled the press, often exhausted their intellectual resources in exaggerated invective. A marked change for the better both in the press and in public debate took place after the death of President Garfield. The sobering influence which that great calamity had upon the American people is likely to be a subject of careful consideration for the future historian. From it dates a change in the temper both of press and public, gradual but so great that it is difficult now to conceive how the personalities of such a debate as that over the Kansas-Nebraska Bill could have been possible in the Senate.

During the struggle over the admission of Kansas, Senator Sumner, of Massachusetts, had compared Senator Douglas, of Illinois, to "the noisome squat and nameless animal" — the American polecat — and again using the same comparison had said: "Mr. President, again the Senator has switched his tongue and again he fills the Senate Chamber with its offensive odor." Mr. Douglas, not himself guiltless of personalities, accepted vituperation and recrimination as a matter of course. But during the same debate, Mr. Sumner opening a very celebrated period by calling Senator Butler, of South Carolina, the Don Quixote and Senator Douglas, the Sancho Panza of chattel slavery, had exhausted the powers of his great intellect in the attempt to make them appear both detestable and absurd. A man of less intellectual force than Sumner might have brought condemnation upon himself by his daring climaxes, but Sumner carried his point, and in doing so, enraged Senator Butler's friends.

The assault by Preston S. Brooks, of South Carolina, followed and so stirred Massachusetts that the conservative element of its people was never afterwards at an advantage in attempting to check the extremists of both sections. It is not yet time and this is not the place to attempt a review of the history of that period, but Mr. Burlingame's references to Senator Douglas and others can be understood only by recalling the leading facts in the connection.

After the election of President Lincoln, Mr. Burlingame, who had been one of the active organizers of the Republican party, was sent to represent the United States in China. After the expiration of his term of service, he was employed by the Chinese government, and, gaining the confidence of its foreign office, he was sent to Washington and afterwards to Europe at the head of a numerous diplomatic retinue. One of the results of his visit was the Burlingame Treaty, the first marked concession willingly made by Chinese conservatism to the pressure of Caucasian civilization.

MASSACHUSETTS AND THE SUMNER ASSAULT

(Delivered in the House of Representatives, June 21st, 1856)

Mr. Chairman:—

The House will bear me witness that I have not pressed myself upon its deliberations. I never before asked its indulgence. I have assailed no man; nor have I sought to bring reproach upon any man's State. But, while such has been my course, as well as the course of my colleagues from Massachusetts, upon this floor, certain members have seen fit to assail the State which we represent, not only with words, but with blows.

In remembrance of these things, and seizing the first opportunity which has presented itself for a long time, I stand here to-day to say a word for old Massachusetts — not that she needs it; no, sir; for in all that constitutes true greatness, in all that gives abiding strength, in great qualities of head and of heart, in moral power, in material prosperity, in intellectual resources and physical ability, by the general judgment of mankind, according to her population, she is the first State. There does not live the man anywhere, who knows anything, to whom praise of Massachusetts would not be needless. She is as far beyond that as she is beyond censure. Members here may sneer at her expense; they may praise her past at the expense of her present; but I say, with a full conviction of its truth, that Massachusetts,

in her present performances, is even greater than in her past recollections. And when I have said this, what more can I say?

Sir, although I am here as her youngest and humblest Member, yet, as her representative, I feel that I am the peer of any man upon this floor. Occupying that high standpoint, with modesty, but with firmness, I cast down her glove to the whole band of her assailants. . . .

On the nineteenth of May, it was announced that Mr. Sumner would address the Senate upon the Kansas question. The floor of the Senate, the galleries, and avenues leading thereto, were thronged with an expectant audience, and many of us left our places in this House to hear the Massachusetts orator. To say that we were delighted with the speech we heard would but faintly express the deep emotions of our hearts awakened by it. I need not speak of the classic purity of its language, nor of the nobility of its sentiments. It was heard by many; it has been read by millions. There has been no such speech made in the Senate since the days when those Titans of American eloquence — the Websters and the Haynes — contended with each other for mastery.

It was severe, because it was launched against tyranny. It was severe as Chatham was severe when he defended the feeble colonies against the giant oppression of the mother country. It was made in the face of a hostile Senate. It continued through the greater portion of two days; and yet, during that time, the speaker was not once called to order. This fact is conclusive as to the personal and parliamentary decorum of the speech. He had provocation enough. His State had been called hypocritical. He himself had been called "a puppy," "a fool," "a fanatic," and "a dishonest man." Yet he was parliamentary from the beginning to the end of his speech. No man knew better than he did the proprieties of the place, for he had always observed them. No man knew better than he did parliamentary law, because he had made it the study of his life. No man saw more clearly than he did the flaming sword of the Constitution, turning every way, guarding all the avenues of the Senate. But he was not thinking of these things; he was not thinking then of the privileges of the Senate nor of the guaranties of the Constitution; he was there to denounce tyranny and crime, and he did it. He was there to speak for the rights of an empire, and he did it, bravely and grandly.

So much for the occasion of the speech. A word, and I shall be pardoned, about the speaker himself. He is my friend; for many and many a year I have looked to him for guidance and light, and I never looked in vain. He never had a personal enemy in his life; his character is as pure as the snow that falls on his native hills; his heart overflows with kindness for every being having the upright form of man; he is a ripe scholar, a chivalric gentleman, and a warm-hearted, true friend. He sat at the feet of Channing, and drank in the sentiments of that noble soul. He bathed in the learning and undying love of the great jurist Story, and the hand of Jackson, with its honors and its offices, sought him early in life, but he shrank from them with instinctive modesty. Sir, he is the pride of Massachusetts. His mother commonwealth found him adorning the highest walks of literature and law, and she bade him go and grace somewhat the rough character of political life. The people of Massachusetts, the old and the young and the middle-aged, now pay their full homage to the beauty of his public and private character. Such is Charles Sumner.

On the twenty-second day of May, when the Senate and the House had clothed themselves in mourning for a brother fallen in the battle of life in the distant State of Missouri, the Senator from Massachusetts sat in the silence of the Senate Chamber, engaged in the employments pertaining to his office, when a Member of this House, who had taken an oath to sustain the Constitution, stole into the Senate, that place which had hitherto been held sacred against violence, and smote him as Cain smote his brother.

Mr. Keitt, in his seat — That is false.

Mr. Burlingame — I will not bandy epithets with the gentleman. I am responsible for my own language. Doubtless he is responsible for his.

Mr. Keitt — I am.

Mr. Burlingame — I shall stand by mine. One blow was enough; but it did not satiate the wrath of that spirit which had pursued him through two days. Again and again, quicker and faster fell the leaden blows, until he was torn away from his victim, when the Senator from Massachusetts fell in the arms of his friends, and his blood ran down on the Senate floor. Sir, the act was brief, and my comments on it shall be brief also. I denounce it in the name of the Constitution it violated. I denounce

it in the name of the sovereignty of Massachusetts, which was stricken down by the blow. I denounce it in the name of humanity. I denounce it in the name of civilization which it outraged. I denounce it in the name of that fair play which bullies and prize-fighters respect. What! strike a man when he is pinioned — when he cannot respond to a blow? Call you that chivalry? In what code of honor did you get your authority for that? I do not believe that Member has a friend so dear who must not in his heart of hearts condemn the act. Even the Member himself, if he has left a spark of that chivalry and gallantry attributed to him, must loathe and scorn the act. God knows I do not wish to speak unkindly, or in a spirit of revenge; but I owe it to my manhood and the noble State I, in part, represent, to express my abhorrence of the act. But much as I reprobate the act, much more do I reprobate the conduct of those who were by and saw the outrage perpetrated. Sir, especially do I notice the conduct of that Senator recently from the free platform of Massachusetts, with the odor of her hospitality on him, who stood there, not only silent and quiet while it was going on, but, when it was over, approved the act. And worse; when he had time to cool, when he had slept on it, he went into the Senate Chamber of the United States, and shocked the sensibilities of the world by approving it. Another Senator did not take part because he feared that his motives might be questioned, exhibiting as extraordinary a delicacy as that individual who refused to rescue a drowning mortal because he had not been introduced to him. Another was not on good terms, and yet, if rumor be true, that Senator has declared that himself and family are more indebted to Mr. Sumner than to any other man; yet, when he saw him borne bleeding by, he turned and went on the other side. Oh, magnanimous Slidell! Oh, prudent Douglas! Oh, audacious Toombs!

Sir, there are questions arising out of this which far transcend those of a mere personal nature. Of those personal considerations I shall speak, when the question comes properly before us, if I am permitted to do so. The higher question involves the very existence of the government itself. If, sir, freedom of speech is not to remain to us, what is all this government worth? If we from Massachusetts, or any other State — Senators, or Members of the House — are to be called to account by some "gallant nephew" of some "gallant uncle," when we utter something

which does not suit their sensitive natures, we desire to know it. If the conflict is to be transferred from this peaceful, intellectual field to one where, it is said, "honors are easy and responsibilities equal," then we desire to known it. Massachusetts, if her sons and representatives are to have the rod held over them, if these things are to continue, the time may come — though she utters no threats — when she may be called upon to withdraw them to her own bosom, where she can furnish to them that protection which is not vouchsafed to them under the flag of their common country. But, while she permits us to remain, we shall do our duty,— our whole duty. We shall speak whatever we choose to speak, when we will, where we will, and how we will, regardless of all consequences.

Sir, the sons of Massachusetts are educated at the knees of their mothers, in the doctrines of peace and good-will, and, God knows, they desire to cultivate those feelings,— feelings of social kindness and public kindness. The House will bear witness that we have not violated or trespassed upon any of them; but, sir, if we are pushed too long and too far, there are men from the old commonwealth of Massachusetts who will not shrink from a defense of freedom of speech, and the honored State they represent, on any field where they may be assailed.

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